Page 1 of 106 PageID

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

Document 4-33

STATE OF COLORADO, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, et al.,

Defendants.

DECLARATION OF MICHELLE E. MORSE

I, Michelle E. Morse, MD, MPH, declare as follows:

- I am the Acting Commissioner and Chief Medical Officer of the New York City 1. ("City") Department of Health and Mental Hygiene (the "Health Department"). The Health Department is the oldest and largest public health department in the country, with more than two centuries of expertise, and is responsible for protecting and promoting the health and wellbeing of everyone who lives in, works in, or visits New York City. I submit this Declaration in support of the Plaintiffs' request for a preliminary injunction and/or temporary restraining order.
- 2. The facts set forth herein are based on my personal and professional knowledge, conversations with relevant Health Department staff, and/or a review of records in the Health Department's possession.
- 3. As part of my work at the Health Department, I have knowledge of grants and cooperative agreements awarded to the City of New York and administered by the Health

#: 2707

Department, including those from the Centers for Disease Control and Prevention ("CDC") to perform lifesaving work and research. These grants are typically awarded by a Notice of Award ("NOA").

- 4. On March 25, 2025, the Health Department received two notices backdated to March 24, 2025, stating that any remaining funding from five CDC grants awarded to the City were being terminated. The terminated grant awards were issued under the following programs:
 - a. Epidemiology and Laboratory Capacity ("ELC") for Prevention and Control of Emerging Infectious Diseases in the City, ELC Enhancing Detection, and ELC Enhancing Detection Expansion (collectively, the "Supplemental ELC Grants"); and
 - b. Immunization COVID-19 Supplemental Funding via two award cycles ("COVID-19 Supplemental Funding Grant").
- 5. According to the notice we received, each of the grant awards described above (together, the "Grant Awards") was purportedly terminated "for cause" based on the end of the COVID-19 pandemic, rather than for the Health Department's failure to follow the terms and/or conditions of the grants. The total value of the City's terminated awards was approximately \$100 million.
- 6. The Grant Awards were provided to the Health Department beginning in 2020 and 2021 as funding streams to assist with various COVID-19 and post-pandemic response efforts and critical public health functions, including vaccination, testing, surveillance, and monitoring and reporting, amongst other approved infectious disease-related activities. As the impacts of the pandemic evolved, the Grant Awards continued to be available to fund activities directly benefitting COVID-19 related public health activities, to respond to gaps in fundamental

#: 2708

infrastructural needs identified during the COVID-19 response, to continue work on enhancement activities as part of the current pandemic recovery period, and to address other approved infectious disease-related activities, all of which were within the intended scope of the Grant Awards.

- 7. The pandemic exposed many gaps in existing public health infrastructure that had begun to be addressed through the use of the Grant Awards but continue to be areas of need. To address those gaps, the funding provided by the Grant Awards supported the following activities: testing for COVID-19 alone or as a part of a multi-pathogen panel to detect and diagnose respiratory infections including influenza; surveillance of COVID-19 within infrastructure that also integrates surveillance of other infectious diseases; development of systems that manage COVID-19 and other infectious disease outbreaks; improvements to the Citywide Immunization Registry, including enhancements for health care providers to order and report COVID-19 vaccines and the public to obtain COVID-19 and other vaccination records; ensuring access to COVID-19 and other recommended vaccines and high-quality vaccination services for under and uninsured adults; strengthening the capacity of local community-based and faith-based organizations and local health centers that work on projects improving New York City communities' overall health and wellness; improvement and maintenance of infection control standards that would be expected to have a positive impact on preventing outbreaks; and other approved infectious disease-related activities within the intended scope of the Grant Awards.
- 8. CDC's termination of the Grant Awards is already impairing critical public health functions overseen by the Health Department, with far-reaching and potentially devastating consequences to the City of New York and its residents. The Grant Award terminations will negatively impact New York City residents, who have directly benefitted from the funding, and will also impact the Health Department's collaborative work with local vendors, subcontractors,

and the health departments of connected jurisdictions, all of which fall within the intended scope of the Grant Awards. Descriptions of each award and the effects of their terminations follow.

Supplemental ELC Grants

9. The Epidemiology and Laboratory Capacity Cooperative Agreement ("ELC Cooperative Agreement") is a funding mechanism through which the CDC "provides flexible funding to the nation's health departments to detect, prevent and respond to infectious disease outbreaks" by awarding "critical support for infectious disease programs and projects." ELC Cooperative Agreement funding supports personnel and provides other vital resources for activities relating to general disease surveillance, outbreak response, health information systems, wastewater surveillance, foodborne disease surveillance and investigation, healthcare-associated infections, antibiotic resistance, viral respiratory disease surveillance and response, vector-borne disease, fungal disease, and maternal infections that can affect infants. Additionally, funding supports a wide range of laboratory work related to the above activities, such as advanced molecular detection, bacteriology, mycology, and virology. Supplemental awards are sometimes distributed in response to emergencies such as the Mpox, Zika, and Ebola virus outbreaks.

¹ The Epidemiology and Laboratory Capacity (ELC) Program | Epidemiology and Laboratory Capacity | CDC

- ... _. _.
- 10. Much of the COVID-19 related funding the CDC distributed to state and local governments during the COVID-19 pandemic was awarded using the ELC mechanism.
- 11. As described above, three Supplemental ELC Grants awarded to the City under an ELC Cooperative Agreement between the Health Department and the CDC were terminated effective March 24, 2025.
- 12. The total funding provided to the City of New York by the CDC through its ELC Cooperative Agreement for the 2019 to 2024 funding cycle was \$1,644,638,188.57, which included a total of \$1,306,157,300 in Supplemental ELC Grant funding.
- 13. On April 23, 2020, the Health Department received the first NOA for a Supplemental ELC Grant awarded through its ELC Cooperative Agreement (Award No. 6 NU50CK000517-01-06), awarding funding in the amount of \$18,790,865.00 for the budget period of August 1, 2019, through July 31, 2020, with a project end date of July 31, 2024. A copy of the first NOA is attached hereto as Exhibit A. The first Supplemental ELC Grant was awarded under the ELC CARES program, which provided funding "to rapidly establish and monitor key activities related to COVID-19 in the areas of epidemiology, laboratory, and informatics."
- 14. On May 18, 2020, the Health Department received a second NOA for Supplemental ELC Grant through its Cooperative Agreement (Award No. 6 NU50CK000517-01-07), awarding funding in the amount of \$807,512,729.00 for the budget period of August 1, 2019, through July 31, 2020, with a project end date of July 31, 2024. A copy of the second NOA is attached hereto as Exhibit B. The second Supplemental ELC Grant was awarded under the ELC Enhancing Detection program, which provided funding for the establishment of modernized public health surveillance systems both to support the public health response to COVID-19 and to lay the foundation for the future of public health surveillance.

- 15. On January 14, 2021, the Health Department received a third NOA for Supplemental ELC Grant through its Cooperative Agreement (Award No. 6 NU50CK000517-02-04), awarding funding in the amount of \$479,853,706.00 for the budget period of August 1, 2020, through July 31, 2021, with a project end date of July 31, 2024. A copy of the third NOA is attached hereto as Exhibit C. The third Supplemental ELC Grant was awarded under the ELC Enhancing Detection Expansion program, which provided additional funding and expanded the scope of permitted activities related to COVID-19 detection, response, surveillance, and prevention.
- Each award above supplemented funding previously allocated to the City of New 16. York through its ELC Cooperative Agreement with CDC.
 - 17. All three of the Supplemental ELC Grant NOAs contained the following language:
 - CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMBdesignated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b)).
- 18. Upon receipt of each NOA, the Health Department submitted an initial work plan and budget to the CDC for approval within 30 days, as required by the terms and conditions of the NOAs. Thereafter, the Health Department submitted reports on performance metrics and milestone achievement document at quarterly intervals, as required by the terms and conditions of the ELC Supplemental Grants.
- 19. Since the initial award, the Health Department has used Supplemental ELC Grant funds in a manner fully consistent with approved activities, within the intended scope of the awards. These approved activities include the following: specimen collection and testing for COVID-19; epidemiologic surveillance including cluster detection; case investigation and

infection prevention and control in vulnerable settings like nursing homes and long-term care facilities; systems improvements for laboratory management, vital records, and immunization registry; enhanced electronic case reporting and electronic laboratory reporting to automate collection of data for epidemiologic surveillance; upgrades to data systems to speed processing of high-volume epidemiological data and expand syndromic surveillance to monitor impacts to healthcare facilities; molecular detection and whole genome sequencing to enhance surveillance and detection of variants; and data management and ongoing public reporting of cases, hospitalizations, and deaths. These activities are consistent with the intent of the supplemental awards to support epidemiology, laboratory, and informatics systems in response to COVID-19 and build capacity in these areas for future public health emergency responses.

- 20. The Health Department has been a recipient of ELC funding since 1996, consistently demonstrating compliance as required to obtain annual funding for infectious disease outbreak and response activities.
- 21. It has been the Health Department's practice to drawdown the Supplemental ELC Grant funds by submitting claims for reimbursement of permitted expenses on a quarterly basis; however, beginning in 2025, the Health Department has submitted claims for reimbursement of permitted expenses monthly.
- 22. On March 25, 2025 the Health Department received a notice of termination from the CDC for the three Supplemental ELC Grants, dated and purporting to be effective as of March 24, 2025 ("March 24, 2025 Supplemental ELC Grant Termination Notice"). A copy of the March 24, 2025 Supplemental ELC Grant Termination Notice is annexed hereto as Exhibit D. The CDC did not provide any prior notice or indication that it would terminate the City of New York's Supplemental ELC Grants.

- 23. The March 24, 2025 Supplemental ELC Grant Termination Notice stated that its purpose was "to terminate the use of any remaining COVID-19 funding associated with this award," "for cause." It further stated that "[t]he end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements [which] were issued for a limited purpose: to ameliorate the effects of the pandemic." It stated that "[n]ow that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out."
- 24. On March 25, 2025, the CDC advised the Health Department that its March 24, 2025 NOA had accidentally terminated the City's entire ELC Cooperative Agreement rather than simply the Supplemental ELC Grants, noting that "[o]n yesterday [sic], March 24, 2025, CDC issued Notices of Award to terminate certain COVID-19 funding, as directed. During that process, the Budget Period and Period of Performance dates were inadvertently changed to March 24, 2025 for the entire award. This was done in error and will be corrected by COB today." As a result, the CDC issued another NOA (Award No. 6 NU50CK00517-05-16) on March 25, 2025 to correct the error.
- 25. The Supplemental ELC Grants were originally set to terminate on July 31, 2024. However, on October 17, 2023, the CDC granted the Health Department a "no cost extension" (Award No. 6 NU50CK000517-05-02), extending the project end date, and therefore the period during which the Supplemental ELC Grant funds would be available for use, to July 31, 2026 to allow the Health Department more time to complete IT projects that will benefit the City in future public health emergencies. A copy of the "no cost extension" NOA is annexed hereto as Exhibit E.
- 26. At the time of termination, approximately \$91 million of the awarded Supplemental ELC Grants funds remained to be claimed.

- 27. The March 24, 2025 Supplemental ELC Grant Termination Notice stated that "[n]o additional activities can be conducted, and no additional costs can be incurred[,]" and provided only thirty (30) days from the March 24, 2025 Termination Notice to submit Final Federal Financial Reports detailing the funds authorized and expended through the termination date and the remaining balance of unobligated funds. In contrast, the terms and conditions of the Supplemental ELC Grants, as set out in the "no cost extension" NOA (see Exhibit E), provide for a 90-day closeout period following the performance end date for the Supplemental ELC Grants to allow accounting—including submission, verification, and review—of all expenditures incurred, not only by the Health Department, but also by partners in the community, and vendors. An orderly closeout of the Supplemental ELC Grants, including submission of claims to drawdown reimbursement for outstanding expenses incurred by the City, cannot be accomplished in 30 days.
- 28. While the impacts of the immediate termination of the Supplemental ELC Grants are still being fully evaluated, there is no question that the loss of funding will be devastating to the City of New York's post-pandemic efforts to manage public health, build and rebuild our public health infrastructure, and ensure our preparedness to undertake measures implemented as part of the COVID-19 in response to future public health emergencies. Losing this critical funding will shutter multiple areas of work that are foundational components of the Health Department's response to COVID-19 and other pathogens of significant threat to the public and undermine both the progress we have made in preparing for future pandemics or infectious disease outbreaks and the lessons learned from our most recent pandemic response. Multiple ongoing projects to improve and modernize data systems will be immediately impacted by the termination of this funding and will negatively impact New York City's ability to rapidly detect and respond to outbreaks of

infectious disease. Capacity to respond to outbreaks of respiratory diseases among vulnerable New Yorkers living in high-risk congregate residential settings will be eliminated.

- 29. For example, the termination of funding threatens our ongoing efforts to modernize the Health Department's reporting and monitoring through use of technology. These projects, once completed, will enable the Health Department to more efficiently receive and process laboratory reporting, scale up systems to accept large volumes of reports (as was needed during the COVID-19 pandemic and would be needed in future outbreaks), more rapidly detect emerging outbreaks, and more efficiently categorize laboratory reports to ensure appropriate investigation and follow up on infectious disease reports. New systems that the Health Department is currently building, using these grant funds, will enable improved investigations of infectious diseases through electronic case reporting, better ability to accept new formats of electronic reporting, and more flexibility to adapt systems in response to future emerging diseases and outbreaks.
- 30. Moreover, the loss of the Supplemental ELC Grant funds will adversely impact our ability to undertake the following critical public health activities:
 - a. <u>Disease Surveillance, Investigation, and Outbreak Response</u> the Health Department's ability to carry out infectious disease surveillance and, where necessary, effectively respond to public health threats will be weakened by the loss of funding. For example, ELC funding supports the citywide disease surveillance that has been critical to our recent ability to respond to disease clusters and outbreaks of measles and varicella, Hepatitis A, respiratory viruses like influenza and RSV, foodborne illnesses, and other emerging disease threats. Effective outbreak response also requires the ability to stand up on-site testing and vaccinations during outbreak

investigations, such as at schools and group homes. Such efforts are supported by the terminated ELC funding. The loss of dedicated ELC support for responding to respiratory virus outbreaks in high-risk settings like nursing homes and congregate supportive housing and shelter settings significantly increases the risk of death to those vulnerable populations.

b. Public Health Lab Capacity – with the loss of significant funding dedicated to increasing the capacity of our Public Health Lab, the Health Department's ability to engage in effective pathogen surveillance and detection will be drastically reduced: we will be less able to detect dangerous pathogens at early stages, and our inability to respond to emerging infectious disease threats as effectively at critical junctures will make the City more vulnerable to outbreaks. The Public Health Lab's testing covers a wide range of pathogens, including measles, tuberculosis, rabies, avian flu, and food and waterborne pathogens. Reduced funding will, at minimum, increase test times for all pathogens while potentially suspending testing entirely for some illnesses.

The COVID-19 Supplemental Funding Grants

- 31. The remaining two terminated Grant Awards ("COVID-19 Supplemental Funding Grants") were awarded to the City of New York under an Immunization and Vaccine For Children ("VFC") cooperative agreement between the City of New York and the CDC, which is administered by the Health Department.
- 32. Generally, the Immunization and VFC program supports efforts to plan, develop, and maintain a public health workforce that helps assure high immunization coverage levels and

low incidence of vaccine-preventable diseases by building vaccine confidence, ensuring access to high-quality vaccination services, implementing a robust Immunization Information System (called the Citywide Immunization Registry in NYC), conducting surveillance of vaccine-preventable diseases, and maintaining and enhancing the ability to respond to public health threats. To that end, the COVID-19 Supplemental Grants support citywide distribution, access, and vaccination coverage through the implementation of COVID-19 and influenza vaccine programs: planning and preparing for administration of COVID-19 and influenza vaccines; expanding and supporting the existing immunization infrastructure; and engaging in additional partnerships and implementing and evaluating new strategies to reach affected populations. These functions are

33. Funding through the Immunization and VFC cooperative agreement is provided on a five-year cycle with annual renewals. The total funding provided to the City of New York by the CDC through its Immunization and VFC Cooperative Agreement for the 2019 to 2024 (extended to include 2025 for this particular cycle) funding cycle was \$279,827,235.00, which included a total of \$175,827,661 in COVID-19 Supplemental Funding Grants.

implemented through collaborations between Health Department staffing and community partners.

34. On January 15, 2021, the Health Department received the NOA for the first COVID-19 Supplemental Funding Grant ("COVID-3 Cycle") through its Immunization and VFC Cooperative Agreement (Award No. 6 NH23IP922636-02-04), awarding funding in the amount of \$75,330,252.00 for the budget period of July 1, 2020, through June 30, 2021, with a project end date of June 30, 2024. A copy of this NOA is attached hereto as Exhibit F. This NOA was awarded under the Immunization and VFC program, which provided resources to support and strengthen

Page 13 of 106 PageID

critical COVID-19 immunization planning and implementation requirements and activities to ensure effective and efficient vaccination efforts.

- 35. The budget under this COVID-19 Supplemental Funding Grant was subsequently amended by Award No. 6 NH23IP922636-02-06 by adding \$12,897,438.00, for a total COVID-3 Cycle grant award of \$88,227,690.00.
- 36. On March 31, 2021, the Health Department received the NOA for the second COVID-19 Supplemental Funding Grant ("COVID-4 Cycle") through its Immunization and VFC cooperative agreement (Award No. 6 NH23IP922636-02-07), awarding funding in the amount of \$81,479,388.00 for the budget period of July 1, 2020, through June 30, 2021, with a project end date of June 30, 2024. A copy of the COVID-4 Cycle NOA is attached hereto as Exhibit G. This NOA was also awarded under the Immunization and VFC program to provide resources to support and strengthen critical COVID-19 immunization planning and implementation requirements and activities to ensure effective and efficient vaccination efforts.
- 37. The budget under the second COVID-19 Supplemental Funding Grant was subsequently amended by Award No. 6 NH23IP922636-02-08 by adding \$6,120,583.00, for a total COVID-4 Cycle grant of \$87,599,971.00.
- 38. Both of the COVID-19 Supplemental Funding Grant NOAs contained the following language:

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMBdesignated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b)).

- 39. Upon receipt of each NOA, the Health Department submitted an initial work plan and budget to the CDC for approval within 30 days, as required by the terms and conditions of the NOAs. Thereafter, the Health Department submitted reports on performance metrics and milestone achievement document first at quarterly intervals, and later semi-annually, as permitted by the terms and conditions of the COVID-19 Supplemental Funding Grant.
- 40. Since the initial award, the Health Department has used the COVID-19 Supplement Grant funds in a manner fully consistent with approved activities, within the intended scope of the Grant awards.
- 41. These approved activities include the following: ensuring and creating access to COVID-19 vaccines and vaccination services through identifying and enrolling vaccination providers into the national COVID-19 vaccination program and supporting them in vaccine ordering, storing and handling, administration, and inventory management and reporting doses administered with complete patient-level data to the Citywide Immunization Registry; leading allocation and distribution of COVID-19 vaccines to vaccination providers citywide; tracking COVID-19 vaccination coverage and developing and implementing public campaigns and community partnerships, including partnerships between vaccination providers and communitybased and faith-based organization, to build vaccine confidence and increase access in communities or settings with a high burden of COVID-19 and/or low vaccination coverage; and, providing support to the public in identifying vaccination locations, reminding them when next vaccine doses are due, and obtaining COVID-19 immunization records.
- 42. It has been the Health Department's practice to drawdown the COVID-19 Supplement Grant funds by submitting claims for reimbursement of permitted expenses on a

#: 2

quarterly basis; however, beginning in 2025 the Health Department has submitted claims for reimbursement of permitted expenses monthly.

- 43. On March 25, 2025, without any prior notice or indication, and despite the City of New York's compliance with the terms and conditions of the COVID-19 Supplemental Grants, the CDC notified the Health Department that its two COVID-19 Supplemental Funding Grants were terminated effective March 24, 2025. A true and correct copy of the March 24, 2025 COVID-19 Supplemental Funding Grant Termination Notice is annexed hereto as Exhibit H.
- 44. The March 24, 2025 COVID-19 Supplemental Funding Grant Termination Notice states that its purpose "is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause." It further states that "[t]he end of the pandemic provides cause to terminate COVID-related grants and cooperate agreements [which]] were issued for a limited purpose: to ameliorate the effects of the pandemic." Finally, the Notice stated that "[n]ow that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out."
- 45. On March 25, 2025, the CDC advised the Health Department that its March 24, 2025 NOA had accidentally terminated the City's entire Immunization and VFC cooperative agreement rather than simply the COVID-19 Supplemental Funding Grant, noting that "[o]n yesterday [sic], March 24, 2025, CDC issued Notices of Award to terminate certain COVID-19 funding, as directed. During that process, the Budget Period and Period of Performance dates were inadvertently changed to March 24, 2025 for the entire award. This was done in error and will be

corrected by COB today." As a result, the CDC issued another NOA (Award No. 6 NU50CK00517-05-16) on March 25, 2025 to correct the error.

- 46. The COVID-19 Supplemental Funding Grant, which resides under the Immunization and Vaccine For Children ("VFC") cooperative agreement, was originally supposed to end on June 30, 2024. However, on September 5, 2023 and June 27, 2024, the CDC issued the Health Department two separate six-month budget and project extensions, through June 30, 2025 (Award No. 6 NH23IP922636-05-01 and 6 NU50CK00517-05-07) for the Immunization and Vaccine For Children ("VFC") cooperative agreement. Additional funding allotted in those award notices reflect funding for the Health Department's core immunization program and not the COVID-19 Supplemental Funding Grant; however, the extended timeline is applied to the COVID-19 Supplemental Funding Grant. Copies of the two extensions are annexed hereto as Exhibit I.
- 47. In addition, on December 20, 2024, the CDC provided notice via email that the City's COVID-19 Supplemental Funding Grant project period could be further extended through June 30, 2027 by submission of a "no cost extension" amendment application to support on-going COVID-19 vaccination activities, to incorporate COVID-19 vaccination activities into the routine immunization program, and to ensure continued capacity to respond to public health emergencies due to vaccine-preventable diseases. Copies of two emails confirming the availability of an extension of the project period are annexed hereto as Exhibit J. On January 24, 2025, the Health Department submitted an extension application to the CDC through the online "GrantSolutions.gov" portal, and on February 12, 2025 the portal was updated to reflect that the "no cost extension" amendment application was "Approved (Processing)." A screen shot of the

GrantSolutions.gov page indicating that the City's "no cost extension" of the project period to June 30, 2027 was approved is annexed hereto as Exhibit K.

- 48. At the time of termination, approximately \$22 million of the COVID-19 Supplemental Funding Grants funding remained to be claimed.
- 49. The March 24, 2025 COVID-19 Supplemental Funding Grant Termination Notice stated that "[n]o additional activities can be conducted, and no additional costs can be incurred[,]" and provided only thirty (30) days from the March 24, 2025 COVID-19 Supplemental Funding Grant Termination Notice to submit Final Federal Financial Reports detailing the funds authorized and expended through the termination date and the remaining balance of unobligated funds. In contrast, the terms and conditions of the COVID-19 Supplemental Funding Grants, as set out in the six-month extension NOA (see Exhibit I), provide for a 120-day closeout period following the performance end date for the COVID-19 Supplemental Funding Grants. An orderly closeout of the COVID-19 Supplemental Funding Grants, including submission of claims to drawdown reimbursement for all outstanding expenses incurred by the City, cannot reasonably be accomplished in 30 days.
- 50. While the impacts of the COVID-19 Supplemental Funding Grant terminations are still being fully evaluated, there is no question that the loss of funding will be devastating to the citywide vaccine preparedness for any future vaccine-preventable outbreak. The Health Department has used COVID-19 Supplemental funds to support staff conducting activities to enroll and support COVID-19 vaccination providers, ensure and create COVID-19 vaccination access, conduct COVID-19 vaccination provider compliance site visits, support community- and faith-based partners in building COVID-19 vaccine confidence, track COVID-19 vaccination coverage and enhance the Citywide Immunization Registry and its provider-facing and public-

facing tools. The funds are also used to ensure equity in vaccine access by addressing persistent disparities in vaccination coverage, specifically by geography, race, and ethnicity, through expanded delivery of vaccination services using mobile and pop-up clinics in low coverage neighborhoods, and by funding community-based organizations and trusted messengers to promote COVID-19 vaccinations and strengthen vaccine confidence. All activities are conducted in support of COVID-19 vaccination, incorporating COVID-19 vaccination into routine immunization program work and support building long-term capacity for responding to vaccinepreventable disease public health emergencies.

- 51. To that end, activities supported by these funds include the following:
 - a. COVID-19 vaccination provider enrollment and support;
 - b. Distribution of federally-funded COVID-19 vaccines to providers;
 - Support for community vaccination clinics in underserved neighborhoods;
 - Support of federally-qualified health centers and other community health centers that provide un-or under-insured New York City residents access to no-cost flu and COVID-19 vaccination services;
 - e. Contracts with 19 community- and faith-based organizations to educate residents of underserved communities, high burdens of COVID-19 and/or low COVID-19 vaccination coverage and amplify public health-related

messaging year-round, and whose relationships of trust can be harnessed during future public health emergencies;

- Creation and implementation of educational communications campaigns for the public;
- Maintenance of a public-facing COVID-19 (and other vaccines such as flu and RSV) vaccine finder for identification of locations where vaccination services are provided;
- h. Completion of reports on COVID-19 vaccination administration and coverage;
- Maintenance and enhancement of the Citywide Immunization Registry and its provider-facing tools, such as ordering screens and inventory management modules, and public-facing tools, such as electronic access to immunization records and a telephone hotline for one-on-one support;
- 52. The loss of this funding thus means that the Health Department's ability to provide critical access to vaccines for underserved populations, including 774,000 uninsured adults, will be greatly diminished. Without this funding, our capacity to connect New Yorkers with vaccines will be reduced, and the prevalence of vaccine-preventable diseases will increase, putting more of our residents—especially our most vulnerable populations—at greater risk of death or disability. Vaccine education efforts will be similarly hampered, reducing the Health Department's ability to reach target populations with educational materials and increasing the risk that its public messaging will be inaccessible and ineffective at critical times, such as during a public health

emergency. Without these measures, New Yorkers are at increased risk to vaccine-preventable diseases, death, or disability.

53. To be clear, as described above, the termination of the City's ELC Supplemental Funding Grants and COVID-19 Supplemental Funding Grants will have far-reaching, devastating consequences for the City of New York, both immediately, and in the long term. It reduces the ability of the Health Department to fulfill its mission to protect and promote public health in New York City, leaves the City of New York less prepared to respond to an infectious disease outbreak of any kind, and as a result, unnecessarily increases risks to the health and lives of those who live, work or study in, or visit, New York City.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct.

Executed on March 30, 2025, at New York, NY.

Michelle E. Morse, MD, MPH

Exhibit A

Case 1:25-cv-00121-MSM-LDA Document 4-33 1. DATE ISSUED MM/DD/YYYY la. SUPERSEDES AWARD NOTICE dated 03/15/202#: 2727 04/23/2020 except that any additions or restrictions previously imposed remain in effect unless specifically rescinded 2. CFDA NO. 93.323 - Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) 3. ASSISTANCE TYPE Cooperative Agreement 4. GRANT NO. 6 NU50CK000517-01-06 5. TYPE OF AWARD

5a. ACTION TYPE Post Award Amendment

MM/DD/YYYY

MM/DD/YYYY

07/31/2024

07/31/2020

Demonstration

Through

Through

Filed 04/01/25 Page 22 of 106 PageID

DEPARTMENT OF HEALTH AND HUMAN SERVICES Centers for Disease Control and Prevention

2939 Brandywine Road Atlanta, GA 30341

NOTICE OF AWARD

AUTHORIZATION (Legislation/Regulations) 301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

8. TITLE OF PROJECT (OR PROGRAM)

From

From

MM/DD/YYYY

MM/DD/YYYY

08/01/2019

08/01/2019

Formerly

4a. FAIN NU50CK000517

6. PROJECT PERIOD

7. BUDGET PERIOD

The Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases(ELC)

9a GR	ANTEE NAME AND ADDRESS		9h GRAN	TEE PROJECT DIRECTOR				
	EW YORK, CITY OF		Dr. Marcelle Layton					
	09 28TH ST		42-09 28th Street CN 22A					
	DNG ISLAND CITY, NY 11101-4130		Long Island City, NY 11101-4132					
			Phon	e: 347-396-2656				
	RANTEE AUTHORIZING OFFICIAL		RAL PROJECT OFFICER					
	r. Edmund Dunn Jr		-	e Brathwaite				
	2-09 28th Street			Clifton Rd a, GA 30333				
	otham Center CN#45B			e: 404-639-5127				
LU	ing Island City, NY 11101-4130		1 11011	5. 404-033-3121				
		ALL AMOUNTS ARE	SHOWN IN U	JSD				
11. APP	ROVED BUDGET (Excludes Direct Assistance)		12. AWARD	COMPUTATION				
I Finar	icial Assistance from the Federal Awarding Agency Only		a. Amount	of Federal Financial Assistance (from	item 11m)		29,539,610.00	
II Total	project costs including grant funds and all other financial partic	cipation	b. Less Un	obligated Balance From Prior Budget	Periods		0.00	
a.	Salaries and WageS	5,259,726.00	c. Less Cumulative Prior Award(s) This Budget Period 10,748				10,748,745.00	
b.	Fringe Benefits	1,535,394.00	d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION 18,790.8			18,790,865.00		
D.	Tringe Benefits		13. Total Federal Funds Awarded to Date for Project Period 29,8			29,539,610.00		
c.	Total Personnel Costs	6,795,120.00		MENDED FUTURE SUPPORT				
d.	Equipment	0.00	(Subject to	the availability of funds and satisfacto	ry progress or the	project).		
e.	Supplies	980,580.00	YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL	DIRECT COSTS	
f.	Travel	67,640.00	a. 2		d. 5			
١.	Travel	·	b. 3		e. 6			
g.	Construction	0.00	c. 4		f. 7	1		
h.	Other	18,882,379.00	15. PROGRAI ALTERNATIV	I INCOME SHALL BE USED IN ACCORD WITH ES:	ONE OF THE FOLLOW	VING		
i.	Contractual	1,510,249.00	a. b.	DEDUCTION ADDITIONAL COSTS			b	
j.	TOTAL DIRECT COSTS	28,235,968.00	c. d. e.	MATCHING OTHER RESEARCH (Add / Deduct Option) OTHER (See REMARKS)				
k.	INDIRECT COSTS	1,303,642.00	_		ED TO. AND AS APPR	OVED BY. THE FE	DERAL AWARDING AGENCY	
I. TOTAL APPROVED BUDGET 29,539,610.00		a. The grant program legislation b. The grant program regulations.						
m. Federal Share 29,539,610.00			 This award notice including terms and conditions, if any, noted below under REMARKS. 					
n. Non-Federal Share 0.00				In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall of prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.				
RE	MARKS (Other Terms and Conditions Attached -	X Yes	No)					

GRANTS MANAGEMENT OFFICIAL:

Brownie Anderson-Rana, Grants Management Officer 2939 Flowers Road

Mailstop TV2 Atlanta, GA 30341-5509 Phone: 770-488-2771

17.OBJ CL	ASS 41.51	18a. VENDOR CODE	1136400434B1	18b. EIN	136400434	19. DUNS	083489737	20. CONG. DIST.	12
F	Y-ACCOUNT NO.	DOCUM	ENT NO.		ADMINISTRATIVE CODE	AMT	ACTION FIN ASST	APPROPRIA	TION
21. a.	0-9390EWQ	b. 19NU500	CK000517C3	C.	CK	d.	\$18,790,865.00	e. 75-	2024-0943
22. a.		b.		C.		d.		e.	
23. a.		b.		C.		d.		e.	

NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 3		DATE ISSUED 04/23/2020
GRANT NO.	6 NU	50CK000517-01-06

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

NOTICE OF AWARD (Continuation Sheet)

PAGE 3 of 3		DATE ISSUED 04/23/2020
GRANT NO. 6 NU		50CK000517-01-06

Federal Financial Report Cycle						
Reporting Period Start Date Reporting Period End Date Reporting Type Reporting Period Due Date						
08/01/2019	07/31/2020	Annual	10/29/2020			

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 25 of 106 PageID #: 2730

AWARD ATTACHMENTS

New York City Dept.of Health & Mental Hygiene

6 NU50CK000517-01-06

1. Terms and Conditions

#: 2731

AWARD INFORMATION

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at

https://www.cdc.gov/grants/federalregulationspolicies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CK19-1904, entitled Epidemiology and Laboratory Capacity (ELC), which is hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

Component Funding: Additional funding in the amount \$18,790,865 is approved for the Year 01 budget period, which is August 1, 2019 through July 31, 2020 COVID-19 Response Activities:

• E. Cross-Cutting Emerging Issues: \$18,790,865

Recipients have 24 months from the date of this NoA to expend all funds awarded herein

Budget/Workplan Revision Requirement: Within 30 days of this NoA, the recipient must submit a revised budget with a narrative justification outlining response activities. Failure to submit the required information in a timely manner may adversely affect the future funding of the project. If the information cannot be provided by the due date, you are required to contact your ELC Project Officer and Grant Management Specialist. Revised budget can be uploaded in GrantSolutions as a grant note for the purpose of "administrative relief" during the COVID-19 crisis.

Pre-Award Costs: Pre-award costs dating back to January 20, 2020 – when CDC first activated its Emergency Operations Center (EOC) – and directly related to the COVID-19 outbreak response are allowable.

Indirect Costs: Indirect cost will be approved based on current approved negotiated indirect cost rate agreement.

Overtime: Because overtime costs are a very likely and reasonable expense during the response to COVID-19, CDC will allow recipients to include projected overtime in their budgets. Recipients should be careful to estimate costs based on current real-time needs and will still be required to follow federal rules and regulations in accounting for the employees' time and effort.

Additional Reporting:

- Monthly progress reports on status of timelines, goals, and objectives as defined by CDC in approved work plans.
- Monthly fiscal reports (beginning 60 days after NOAs are issued).
- Performance measure data
- CDC may require recipients to develop annual progress reports (APRs). CDC will provide APR guidance and optional templates should they be required.

Additional Term and Condition:

A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123) or the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136) agrees to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread

of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

If recipient disburses any funds received pursuant to this award to a local jurisdiction, recipient shall ensure that the local jurisdiction complies with the terms and conditions of this award. Consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, to the extent applicable, Recipient will comply with Section 18115 of the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"), Public Law 116-136, with respect to the reporting to the Secretary of Health and Human Services of results of tests intended to detect SARS–CoV–2 or to diagnose a possible case of COVID–19.

Unallowable Costs:

- Research
- Clinical care
- Publicity and propaganda (lobbying):
 - Other than for normal and recognized executive-legislative relationships, no funds may be used for:
 - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
 - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
 - See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients: https://www.cdc.gov/grants/documents/Anti-Lobbying Restrictions for CDC Grantees July 2012.pdf
- All unallowable costs cited in CDC-RFA-CK19-1904 remain in effect, unless specifically amended in this guidance, in accordance with 45 CFR Part 75 – Uniform Administrative Requirements, Cost Principles, And Audit Requirements for HHS Awards.

REPORTING REQUIREMENTS

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services Tonya M. Jenkins, Grants Management Specialist Time Solutions LLC Office of Grants Services (OGS) Office of Financial Resources (OFR) Office of the Chief Operating Officer (OCOO) Centers for Disease Control and Prevention (CDC) pio6@cdc.gov | 404-498-2399 office

AND

U.S. Department of Health and Human Services Office of the Inspector General ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue, SW Cohen Building, Room 5527 Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or

Email: MandatoryGranteeDisclosures@oig.hhs.gov

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

#: 2734

PAYMENT INFORMATION

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to <a href="https://mailto.com/hhstips://mailto.com/htstips://mailto.com/hhstips://mailto.com/htstips://mailto.c

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

Stewardship: The recipient must exercise proper stewardship over Federal funds by ensuring that all costs charged to your cooperative agreement are allowable, allocable, and reasonable and that they address the highest priority needs as they relate to this program.

All the other terms and conditions issued with the original award remain in effect throughout the budget period unless otherwise changed, in writing, by the Grants Management Officer.

Exhibit B

Demonstration

Through

Through

5a. ACTION TYPE Post Award Amendment

MM/DD/YYYY

MM/DD/YYYY

07/31/2024

07/31/2020

Filed 04/01/25 Page 31 of 106 PageID

DEPARTMENT OF HEALTH AND HUMAN SERVICES Centers for Disease Control and Prevention

2939 Brandywine Road Atlanta, GA 30341

NOTICE OF AWARD

AUTHORIZATION (Legislation/Regulations) 301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

8. TITLE OF PROJECT (OR PROGRAM)

MM/DD/YYYY

MM/DD/YYYY

08/01/2019

08/01/2019

4a. FAIN NU50CK000517

From

From

6. PROJECT PERIOD

7. BUDGET PERIOD

The Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases(ELC)

9a. GRANTEE NAME AND ADDRESS		9h GRANT	TEE PROJECT DIRECTOR			-
NEW YORK, CITY OF		Dr. Marcelle Layton				
4209 28TH ST		42-09 28th Street CN 22A				
LONG ISLAND CITY, NY 11101-4130			sland City, NY 11101-4132			
25.10.102.11.2.5.1.7,		J	e: 347-396-2656			
10a. GRANTEE AUTHORIZING OFFICIAL		10b. FEDER	RAL PROJECT OFFICER			
Mr. Edmund Dunn Jr		Mr. W	ayne Brathwaite			
42-09 28th Street			Clifton Rd			
Gotham Center CN#45B		C-18				
Long Island City, NY 11101-4130			on of Preparedness and Emerging Inf	ections		
		Atlant	a, GA 30333			
	ALL AMOUNTS ARE					
11. APPROVED BUDGET (Excludes Direct Assistance)			COMPUTATION			837,052,339.00
I Financial Assistance from the Federal Awarding Agency Only	. 1		of Federal Financial Assistance (from	•		
II Total project costs including grant funds and all other financial participat	ion		obligated Balance From Prior Budget			0.00
a. Salaries and WageS 5,259,726.00						29,539,610.00
b. Fringe Benefits	1,535,394.00)				807,512,729.00
c. Total Personnel Costs	6,795,120.00	13. Total Federal Funds Awarded to Date for Project Period 83 14. RECOMMENDED FUTURE SUPPORT			837,052,339.00	
d. Equipment	0.00		he availability of funds and satisfacto	ry progress of the	project):	
u. Equipment	980.580.00	YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL I	DIRECT COSTS
e. Supplies	960,360.00	a. 2	101112011201	d. 5	101712	<u> </u>
f. Travel	67,640.00	b. 3		e. 6		
g. Construction	0.00	c. 4		f. 7		
h. Other	826,395,108.00	15. PROGRAM ALTERNATIVE	INCOME SHALL BE USED IN ACCORD WITH S:	ONE OF THE FOLLOW	ING	
i. Contractual	1,510,249.00	a. b.	DEDUCTION ADDITIONAL COSTS			b
j. TOTAL DIRECT COSTS	835,748,697.00	c. d. e.	MATCHING OTHER RESEARCH (Add / Deduct Option) OTHER (See REMARKS)			
k. INDIRECT COSTS 1,303,642.00			RD IS BASED ON AN APPLICATION SUBMITTE	ED TO AND AS APPRO	VED BY THE FEDE	FRAL AWARDING AGENCY
I. TOTAL APPROVED BUDGET 837,052,339.		ON THE ABOVE	TITLED PROJECT AND IS SUBJECT TO THE T			
		a. b.	The grant program legislation			
007.000.000			The grant program regulations. This award notice including terms and condition Federal administrative requirements, cost princi-	s, if any, noted below un	der REMARKS.	s grant
m. Federal Share 837,052,339.00			 d. Federal administrative requirements, cost principles and audit requirements applicable to this grant. In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall 			
n. Non-Federal Share	0.00					
REMARKS (Other Terms and Conditions Attached -	Yes	No)				

GRANTS MANAGEMENT OFFICIAL:

Brownie Anderson-Rana, Grants Management Officer 2939 Flowers Road

ELC Enhancing Detection Funding: Financial Assistance in the amount of \$807,512,729

Mailstop TV2 Atlanta, GA 30341-5509 Phone: 770-488-2771

17.0BJ CL	ASS 41.51	18a. VENDOR CODE	1136400434B1	18b. EIN	136400434	19. DUNS	083489737	20. CONG. DIST.	12
F	Y-ACCOUNT NO.	DOCUM	IENT NO.		ADMINISTRATIVE CODE	AMT	ACTION FIN ASST	APPROPRIA	TION
21. a.	0-9390F7F	b. 19NU500	CK000517C4	C.	CK	d.	\$807,512,729.00	e.	75-X-0140
22. a.		b.		C.		d.		e.	
23. a.		b.		C.		d.		e.	

NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 3		DATE ISSUED 05/18/2020
GRANT NO.	6 NU	50CK000517-01-07

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

NOTICE OF AWARD (Continuation Sheet)

PAGE 3 of 3		DATE ISSUED 05/18/2020
GRANT NO.	6 NU	50CK000517-01-07

Federal Financial Report Cycle						
Reporting Period Start Date Reporting Period End Date Reporting Type Reporting Period Due Date						
08/01/2019	07/31/2020	Annual	10/29/2020			

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 34 of 106 PageID #: 2739

AWARD ATTACHMENTS

New York City Dept.of Health & Mental Hygiene

6 NU50CK000517-01-07

1. Terms and Conditions

AWARD INFORMATION

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at

https://www.cdc.gov/grants/federalregulationspolicies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CK19-1904, entitled Epidemiology and Laboratory Capacity (ELC), which is hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

Component Funding: Additional funding in the amount \$807,512,729 is approved for the Year 01 budget period, which is August 1, 2019 through July 31, 2020

COVID-19 Paycheck Protection Program and Health Care Enhancement Act Response Activities:

E. Cross-Cutting Emerging Issues: \$807,512,729

Recipients have **30 months** from the date of this NoA to expend all funds awarded herein

Budget/Workplan Revision Requirement: Within 30 days of this NoA, the recipient must submit a revised budget with a narrative justification outlining response activities. Failure to submit the required information in a timely manner may adversely affect the future funding of the project. If the information cannot be provided by the due date, you are required to contact your ELC Project Officer and Grant Management Specialist. The revised budget must be uploaded in GrantSolutions as an amendment to allow issuance of a revised NoA.

Pre-Award Costs: Pre-award costs dating back to January 20, 2020 – when CDC first activated its Emergency Operations Center (EOC) – and directly related to the COVID-19 outbreak response are allowable.

Indirect Costs: Indirect cost will be approved based on current approved negotiated indirect cost rate agreement.

Overtime: Because overtime costs are a very likely and reasonable expense during the response to COVID-19, CDC will allow recipients to include projected overtime in their budgets. Recipients should be careful to estimate costs based on current real-time needs and will still be required to follow federal rules and regulations in accounting for the employees' time and effort.

Additional Term and Condition:

A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); and/or the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139) agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

In addition, to the extent applicable, Recipient will comply with Section 18115 of the CARES Act, with respect to the reporting to the HHS Secretary of results of tests intended to detect SARS—CoV–2 or to diagnose a possible case of COVID–19. Such reporting shall be in accordance with guidance and direction from HHS and/or CDC.

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the

purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, recipient is expected to flow down these terms to any subaward, to the extent applicable to activities set out in such subaward.

Unallowable Costs:

- Research
- Clinical care
- Publicity and propaganda (lobbying):
 - Other than for normal and recognized executive-legislative relationships, no funds may be used for:
 - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
 - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
 - See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients: https://www.cdc.gov/grants/documents/Anti-Lobbying_Restrictions_for_CDC_Grantees_July_2012.pdf
- All unallowable costs cited in CDC-RFA-CK19-1904 remain in effect, unless specifically amended in this guidance, in accordance with 45 CFR Part 75 – Uniform Administrative Requirements, Cost Principles, And Audit Requirements for HHS Awards.

REPORTING REQUIREMENTS

Additional Reporting:

- Monthly fiscal reports (beginning 60 days after NOAs are issued)
- Quarterly progress reports on status of timelines, goals, and objectives as defined by CDC in approved work plans
- Quarterly Performance measure data
- CDC may require recipients to develop annual progress reports (APRs). CDC will provide APR guidance and optional templates should they be required.
- Quarterly reporting of test results, both positive and negative
- Clarity on how the states will focus on high socially vulnerable index counties, rural and urban areas, etc. (Vulnerable populations must be specific).

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the

following addresses:

CDC, Office of Grants Services
Tonya M. Jenkins, Grants Management Specialist
Time Solutions LLC
Office of Grants Services (OGS)
Office of Financial Resources (OFR)
Office of the Chief Operating Officer (OCOO)
Centers for Disease Control and Prevention (CDC)
pjo6@cdc.gov | 404-498-2399 office

AND

U.S. Department of Health and Human Services Office of the Inspector General ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue, SW Cohen Building, Room 5527 Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or Email: MandatoryGranteeDisclosures@oig.hhs.gov

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

PAYMENT INFORMATION

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to hhstips@oig.hhs.gov or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

Stewardship: The recipient must exercise proper stewardship over Federal funds by ensuring that all costs charged to your cooperative agreement are allowable, allocable, and reasonable and that they address the highest priority needs as they relate to this program.

All the other terms and conditions issued with the original award remain in effect throughout the budget period unless otherwise changed, in writing, by the Grants Management Officer.

Exhibit C

Centers for Disease Control and Prevention

Award# 6 NU50CK000517-02-04 FAIN# NU50CK000517

Federal Award Date: 01/14/2021

Recipient Information

1. Recipient Name

New York City Dept.of Health & Mental Hygiene 4209 28TH ST LONG ISLAND CITY, NY 11101-4130

[NoPhoneRecord]

2. Congressional District of Recipient

3. Payment System Identifier (ID)

1136400434B1 4. Employer Identification Number (EIN) 136400434

5. Data Universal Numbering System (DUNS)

6. Recipient's Unique Entity Identifier

7. Project Director or Principal Investigator

Dr. Marcelle Layton

Assistant Commissioner Communicable Diseases mlayton@health.nyc.gov 347-396-2656

8. Authorized Official

Mr. Edmund Dunn Jr

Authorizing Official - Dir of Grants Admin &

Claiming

edunnjr@health.nyc.gov

347-396-6250

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Ms. Kathy Raible-GMS

kcr8@cdc.gov

770-488-2045

10.Program Official Contact Information

Mr. Fred Maxineau

PHA

hyx2@cdc.gov

404.639.0869

Federal Award Information

11. Award Number

6 NU50CK000517-02-04

12. Unique Federal Award Identification Number (FAIN)

NU50CK000517

13. Statutory Authority

301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

14. Federal Award Project Title

The Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases(ELC)

15. Assistance Listing Number

16. Assistance Listing Program Title

Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)

17. Award Action Type

Supplement

18. Is the Award R&D?

Summary Federal Award Financial Information

10	Dudget Deried Start Date	09/01/2020	End Data	07/21/2021	

ı	20. Total Amount of Federal Funds Obligated by this Action	\$479,853,706.00
	20a. Direct Cost Amount	\$479,853,706.00
	20b. Indirect Cost Amount	\$0.00
	21. Authorized Carryover	\$0.00

22. Offset

23. Total Amount of Federal Funds Obligated this budget period \$10,502,040.00

24. Total Approved Cost Sharing or Matching, where applicable

25. Total Federal and Non-Federal Approved this Budget Period

26. Project Period Start Date 08/01/2019 - End Date 07/31/2024

27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period

\$1,328,409,291.00

\$490,355,746.00

\$0.00

\$0.00

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Brownie Anderson-Rana Grants Management Officer

30. Remarks

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Award# 6 NU50CK000517-02-04 FAIN# NU50CK000517

Federal Award Date: 01/14/2021

Centers for Disease Control and Prevention

Recipient Information

Recipient Name

New York City Dept.of Health & Mental Hygiene 4209 28TH ST

LONG ISLAND CITY, NY 11101-4130

[NoPhoneRecord]

Congressional District of Recipient

Payment Account Number and Type

1136400434B1

Employer Identification Number (EIN) Data

Universal Numbering System (DUNS)

083489737

Recipient's Unique Entity Identifier

Not Available

31. Assistance Type

Cooperative Agreement

32. Type of Award

Demonstration

	33. Approved Budget
ı	(Excludes Direct Assistan

nce)

I. Financial Assistance from the Federal Awarding Agency Only

II. Total project costs including grant funds and all other financial participation					
a. Salaries and Wages	\$4,226,538.00				
b. Fringe Benefits	\$1,225,438.00				
c. TotalPersonnelCosts	\$5,451,976.00				
d. Equipment	\$0.00				
e. Supplies	\$515,346.00				
f. Travel	\$41,516.00				
g. Construction	\$0.00				
h. Other	\$482,023,321.00				
i. Contractual	\$1,286,555.00				
j. TOTAL DIRECT COSTS	\$489,318,714.00				
k. INDIRECT COSTS	\$1,037,032.00				
1. TOTAL APPROVED BUDGET	\$490,355,746.00				

m. Federal Share \$490,355,746.00

n. Non-Federal Share \$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
0-939ZSCE	19NU50CK000517	CK	41.51	\$0.00	75-20-0951
1-9390GKT	19NU50CK000517EDEXC5	CK	41.51	\$479,853,706.00	75-2122-0140

DEPARTMENT OF HEALTH AND HUNAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NU50CK000517-02-04
FAIN# NU50CK000517

Federal Award Date: 01/14/2021

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 43 of 106 PageID #: 2748

AWARD ATTACHMENTS

New York City Dept.of Health & Mental Hygiene

6 NU50CK000517-02-04

1. Revised Terms & Conditions

AWARD INFORMATION

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at https://www.cdc.gov/grants/federalregulationspolicies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CK19-1904, entitled Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC), which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

Supplemental Component Funding: Additional funding in the amount \$479,853,706 is approved for the Year 02 budget period, which is August 1, 2020 through July 31, 2021.

The approved component and funding level for this notice of award are:

NOFO Component	Amount
ELC Enhancing Detection Expansion	\$479,853,706

Recipients have until July 31, 2023 to expend all COVID-19 funds awarded herein.

<u>Overtime</u>: Because overtime costs are a very likely and reasonable expense during the response to COVID-19, CDC will allow recipients to include projected overtime in their budgets. Recipients should be careful to estimate costs based on current real-time needs and will still be required to follow federal rules and regulations in accounting for the employees' time and effort.

Coronavirus Disease 2019 (COVID-19) Funds: A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); and/or the Consolidated Appropriations Act, 2021, Division M – Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (P.L. 116-260), agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

To achieve the public health objectives of ensuring the health, safety, and welfare of all Americans, Recipient must distribute or administer vaccine without discriminating on non-public-health grounds within a prioritized group. This includes, but is not limited to, immigration status, criminal history, incarceration, or homelessness. To this end, and to help achieve the public health imperative of widespread herd immunity to COVID-19, Recipient must administer or distribute vaccine to any and all individuals within a prioritized group in the same timeframe, taking into account available vaccine doses. For example, if meatpacking plant workers are a prioritized group, then all workers in that group, including undocumented immigrants, must be vaccinated to help assure that the plant is in a position to safely resume essential functions.

In addition, to the extent applicable, Recipient will comply with Section 18115 of the CARES Act, with respect to the reporting to the HHS Secretary of results of tests intended to detect SARS–CoV–2 or to diagnose a possible case of COVID–19. Such reporting shall be in accordance with guidance and direction from HHS and/or CDC. HHS laboratory reporting <u>guidance</u> is posted at: https://www.hhs.gov/sites/default/files/covid-19-laboratory-data-reporting-guidance.pdf.

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, recipient is expected to flow down these terms to any subaward, to the extent applicable to activities set out in such subaward.

Unallowable Costs:

- Research
- Clinical care
- Publicity and propaganda (lobbying):
 - Other than for normal and recognized executive-legislative relationships, no funds may be used for:
 - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
 - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
 - See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients: https://www.cdc.gov/grants/documents/Anti-Lobbying_Restrictions_for_CDC_Grantees_July_2012.pdf

 All unallowable costs cited in CDC-RFA-CK19-1904 remain in effect, unless specifically amended in this guidance, in accordance with 45 CFR Part 75 – Uniform Administrative Requirements, Cost Principles, And Audit Requirements for HHS Awards.

Budget Revision Requirement: By March 17, 2021 the recipient must submit a separate revised budget with a narrative justification and workplan in accordance with the COVID-19 guidance. The workplan should be submitted in REDCap and must address all activities in the guidance.

The revised budget and narrative justification must be uploaded as an amendment in Grant Solutions with a SF424A.

Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

REPORTING REQUIREMENTS

COVID-19 - Additional Reporting Requirements:

- Monthly fiscal reports (beginning 60 days after NOAs are issued). Thereafter, all
 monthly financial reporting will occur on the 5th of the month which will cover the
 preceding month's expenditures and unliquidated obligations (ULOs).
- Quarterly workplan milestone progress reporting will start on April 30, 2021; and will follow the regular ELC quarterly reporting timeline.
- The Jurisdictional Testing, Case Investigation, and Contact Tracing Plan updates will occur on the same quarterly reporting timeline as the workplan milestone progress.
- CDC may require recipients to develop annual progress reports (APRs). CDC will provide APR guidance and optional templates should they be required

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services Kathy Raible, Grants Management Specialist Centers for Disease Control and Prevention Branch 1 2939 Flowers Road, MS-TV2 Atlanta, GA 30341

Email: kcr8@cdc.gov (Include "Mandatory Grant Disclosures" in subject line)

AND

U.S. Department of Health and Human Services
Office of the Inspector General
ATTN: Mandatory Grant Disclosure, Intake Coordinator
330 Independent Avenue, SW
Cohen Building, Room 5527
Washington, DC 20201
Fax: (202) 205 0604 (Include "Mandatory Grant Disclosures

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject

line) or Email: MandatoryGranteeDisclosures@oig.hhs.gov

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

PAYMENT INFORMATION

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to hhstips@oig.hhs.gov or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the

NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

Stewardship Information

Stewardship: The recipient must exercise proper stewardship over Federal funds by ensuring that all costs charged to your cooperative agreement are allowable, allocable, and reasonable and that they address the highest priority needs as they relate to this program.

All the other terms and conditions issued with the original award remain in effect throughout the budget period unless otherwise changed, in writing, by the Grants Management Officer.

Exhibit D

Centers for Disease Control and Prevention

Award# 6 NU50CK000517-05-13

FAIN# NU50CK000517

Federal Award Date: 03/24/2025

Recipient Information

1. Recipient Name

CITY OF NEW YORK
4209 28TH ST
LONG ISLAND CITY, NY 11101-4130
[NoPhoneRecord]

- 2. Congressional District of Recipient
- 3. Payment System Identifier (ID) 1136400434B1
- **4. Employer Identification Number (EIN)** 136400434
- **5. Data Universal Numbering System (DUNS)** 083489737
- **6. Recipient's Unique Entity Identifier (UEI)** XKJ3F8WKV2L3
- 7. Project Director or Principal Investigator

Dr. Jennifer Carmona

N/A

jcarmona@health.nyc.gov

347-396-7432

8. Authorized Official

Ms. Wai Ting Yu

Assistant Commissioner

wyu4@health.nyc.gov

347-396-6214

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Whitney Dade

Grants Management Specialist

zmm8@cdc.gov

4044983038

10.Program Official Contact Information

Yonathan Gebru

Program Officer

qnw9@cdc.gov

6784272383

Federal Award Information

11. Award Number

6 NU50CK000517-05-13

12. Unique Federal Award Identification Number (FAIN)

NU50CK000517

13. Statutory Authority

301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

14. Federal Award Project Title

Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) - Building and Strengthening Epidemiology, Laboratory and Health Information Systems Capacity in State and Local Health Departments

15. Assistance Listing Number

03 323

16. Assistance Listing Program Title

Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)

17. Award Action Type

Administrative Action

18. Is the Award R&D?

No

Summary Federal Award Financial Information

20. Total Amount of Federal Funds Obligated by this Action	\$0.00
20a. Direct Cost Amount	\$0.00
20b. Indirect Cost Amount	\$0.00

21. Authorized Carryover \$17,258,724.00

22. Offset \$1,537,735.00

23. Total Amount of Federal Funds Obligated this budget period \$13,601,536.79

24. Total Approved Cost Sharing or Matching, where applicable \$0.00

25. Total Federal and Non-Federal Approved this Budget Period \$13,601,536.79

26. Period of Performance Start Date 08/01/2019 - End Date 03/24/2025

27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance

\$1,644,638,188.57

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Terrian Dixon

Grants Management Officer

30. Remarks

Department Authority

DEPARTMENT OF HEALTH AND HUTTA SERVICES

Centers for Disease Control and Prevention

Award# 6 NU50CK000517-05-13

FAIN# NU50CK000517

Federal Award Date: 03/24/2025

Recipient Information

Recipient Name

CITY OF NEW YORK

4209 28TH ST

LONG ISLAND CITY, NY 11101-4130

[NoPhoneRecord]

Congressional District of Recipient

Payment Account Number and Type

1136400434B1

Employer Identification Number (EIN) Data

Universal Numbering System (DUNS)

Recipient's Unique Entity Identifier (UEI)

XKJ3F8WKV2L3

31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

33.	A	pp	roved	Budget	t

(Excludes Direct Assistance)

- I. Financial Assistance from the Federal Awarding Agency Only

\mid II. Total project costs including grant funds and a	. Total project costs including grant funds and all other financial participation					
a. Salaries and Wages	\$11,995,667.00					
b. Fringe Benefits	\$3,582,355.00					
c. TotalPersonnelCosts	\$15,578,022.00					
d. Equipment	\$250,000.00					
e. Supplies	\$3,602,833.00					
f. Travel	\$120,759.00					
g. Construction	\$0.00					
h. Other	\$526,429.00					
i. Contractual	\$9,218,518.79					
j. TOTAL DIRECT COSTS	\$29,296,561.79					
k. INDIRECT COSTS	\$3,101,434.00					
1. TOTAL APPROVED BUDGET	\$32,397,995.79					
Fadaval Chava	•					

m. Federal Share \$32,397,995.79

n. Non-Federal Share \$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
0-9390EWQ	19NU50CK000517C3	CK	41.51	93.323	\$0.00	75-2024-0943
0-9390F7F	19NU50CK000517C4	CK	41.51	93.323	\$0.00	75-X-0140
1-9390GKT	19NU50CK000517EDEXC5	CK	41.51	93.323	\$0.00	75-2122-0140

DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NU50CK000517-05-13

FAIN# NU50CK000517

Federal Award Date: 03/24/2025

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 53 of 106 PageID #: 2758

AWARD ATTACHMENTS

CITY OF NEW YORK

6 NU50CK000517-05-13

1. Terms and Conditions

TERMS AND CONDITIONS OF AWARD

Termination: The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if "the non-Federal entity fails to comply with the terms and conditions of the award", or separately, "for cause." The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

Impacted document numbers are included on page 2 of this Notice of Award (NoA).

No additional activities can be conducted, and no additional costs may be incurred, as it relates to these funds. Unobligated award balances of COVID-19 funding will be de-obligated by CDC. Award activities under other funding may continue consistent with the terms and conditions of the award.

Final Federal Financial Report (FFR, SF-425): Within 30 days please submit final FFR's for impacted document numbers. The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

All other terms and conditions of this award remain in effect.

Exhibit E

Centers for Disease Control and Prevention

Award# 6 NU50CK000517-05-02 FAIN# NU50CK000517

Federal Award Date: 10/17/2023

Recipient Information

1. Recipient Name

CITY OF NEW YORK
4209 28TH ST
LONG ISLAND CITY, NY 11101-4130
[NoPhoneRecord]

2. Congressional District of Recipient

- 3. Payment System Identifier (ID) 1136400434B1
- **4. Employer Identification Number (EIN)** 136400434
- **5. Data Universal Numbering System (DUNS)** 083489737
- **6. Recipient's Unique Entity Identifier (UEI)** XKJ3F8WKV2L3
- 7. Project Director or Principal Investigator

Ms. Jennifer Carmona jcarmona@health.nyc.gov 347-396-7432

8. Authorized Official

Ms. Wai Ting Yu Executive Director of Budget Administration wyu4@health.nyc.gov 347-396-6214

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Ryan Smythe Grants Management Specialist lyt6@cdc.gov (770) 488-3629

10.Program Official Contact Information

Mr. Fred Maxineau PHA hyx2@cdc.gov 404.639.0869

Federal Award Information

11. Award Number

6 NU50CK000517-05-02

12. Unique Federal Award Identification Number (FAIN)

NU50CK000517

13. Statutory Authority

301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

14. Federal Award Project Title

The Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases(ELC)

15. Assistance Listing Number

93,323

16. Assistance Listing Program Title

Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)

17. Award Action Type

No Cost Extension

18. Is the Award R&D?

No

Summary Federal Award Financial Information

19. Budget Period Start Date	08/01/2023	- End Date 07/31/2026	

20. Total Amount of Federal Funds Obligated by this Action	\$0.00
20a. Direct Cost Amount	\$0.00
20b. Indirect Cost Amount	\$0.00

21. Authorized Carryover

22. Offset \$1,537,735.00

23. Total Amount of Federal Funds Obligated this budget period \$3,854,457.00

24. Total Approved Cost Sharing or Matching, where applicable

25. Total Federal and Non-Federal Approved this Budget Period \$3,854,457.00

26. Period of Perfomance Start Date 08/01/2019 - End Date 07/31/2026

27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance

\$1,638,216,997.00

\$0.00

\$0.00

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Karen Zion1

Grants Management Officer

30. Remarks

DEPARTMENT OF HEALTH AND HUTTAR SERVICES

Award# 6 NU50CK000517-05-02

Federal Award Date: 10/17/2023

FAIN# NU50CK000517

Centers for Disease Control and Prevention

Recipient Information

Recipient Name

CITY OF NEW YORK

4209 28TH ST

LONG ISLAND CITY, NY 11101-4130

[NoPhoneRecord]

Congressional District of Recipient

Payment Account Number and Type

1136400434B1

Employer Identification Number (EIN) Data

Universal Numbering System (DUNS)

083489737

Recipient's Unique Entity Identifier (UEI)

XKJ3F8WKV2L3

31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

33. Approved Budget

(Excludes Direct Assistance)

- I. Financial Assistance from the Federal Awarding Agency Only
- II. Total project costs including grant funds and all other financial participation

a. Salaries and Wages	\$2,694,426.00
b. Fringe Benefits	\$791,982.00
c. TotalPersonnelCosts	\$3,486,408.00
d. Equipment	\$0.00
e. Supplies	\$591,029.00
f. Travel	\$75,554.00
g. Construction	\$0.00
h. Other	\$6,000.00
i. Contractual	\$604,408.00
j. TOTAL DIRECT COSTS	\$4,763,399.00
k. INDIRECT COSTS	\$628,793.00
1. TOTAL APPROVED BUDGET	\$5,392,192.00
	•

m. Federal Share \$5,392,192.00

n. Non-Federal Share \$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	CFDA NO.	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
0-9390EPX	19NU50CK000517CV	CK	41.51	93.323	\$0.00	75-2022-0943
1-9390EWQ	19NU50CK0005172DMODC	CK	41.51	93.323	\$0.00	75-2024-0943
0-9390F7F	19NU50CK000517C4	CK	41.51	93.323	\$0.00	75-X-0140
1-9390GKT	19NU50CK000517EDEXC5	CK	41.51	93.323	\$0.00	75-2122-0140
1-9390H08	19NU50CK000517AMD2C6	CK	41.51	93.323	\$0.00	75-X-0943
2-9390JEN	19NU50CK000517NWSSC6	CK	41.51	93.323	\$0.00	75-X-0140
2-9390J4P	19NU50CK000517SHRPC6	CK	41.51	93.323	\$0.00	75-X-0140
0-9390EWQ	19NU50CK000517C3	CK	41.51	93.323	\$0.00	75-2024-0943
2-9390JXH	19NU50CK000517LDXC6	CK	41.51	93.323	\$0.00	75-X-0140
3-9210995	19NU50CK000517SHP2C6	CK	41.51	93.323	\$0.00	75-X-0140

DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Award# 6 NU50CK000517-05-02 FAIN# NU50CK000517

Federal Award Date: 10/17/2023

Centers for Disease Control and Prevention

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 59 of 106 PageID #: 2764

AWARD ATTACHMENTS

CITY OF NEW YORK 6 NU50CK000517-05-02

1. Terms and Conditions - NCE

ADDITIONAL TERMS AND CONDITIONS OF AWARD

No Cost Extension: The purpose of this amendment is to approve a 24 months No Cost Extension per the request submitted by your organization dated September 22, 2023. The budget and project period end dates have been extended from July 31, 2024 to July 31, 2026.

#: 2765

Annual Federal Financial Report (FFR SF-425): Annual financial reporting is required every twelvemonth period. Due to the approved extension period, the final budget period has been extended and an additional annual financial report will be required. A completed FFR SF-425 covering the original final budget period of August 1, 2025 to July 31, 2026 must be submitted by October 31, 2026.

Recipients must submit all closeout reports identified in this section within 90 days of the period of performance end date. The reporting timeframe is the full period of performance. Failure to submit timely and accurate final reports may affect future funding to the organization or awards under the direction of the same Project Director/Principal Investigator (PD/PI).

Final Performance Progress and Evaluation Report (PPER): This report should include the information specified in the NOFO. At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

All manuscripts published as a result of the work supported in part or whole by the cooperative grant must be submitted with the performance progress reports.

Final Federal Financial Report (FFR, SF-425): The FFR should only include those funds authorized and actually expended during the timeframe covered by the report. The Final FFR, SF-425 is required and must be submitted no later than 90 days after the period of performance end date.

The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Department of Health and Human Services' PMS, you will be required to update your reports to PMS accordingly. Remaining unobligated funds will be de-obligated and returned to the U.S. Treasury.

Electronic versions of the FFR SF-425 can be downloaded at: https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1

Equipment and Supplies - Tangible Personal Property Report (SF-428): A completed Tangible Personal Property Report SF-428 and Final Report SF-428B addendum must be submitted, along with any Supplemental Sheet SF-428S detailing all major equipment acquired or furnished under this project with a unit acquisition cost of \$5,000 or more. Electronic versions of the forms can be downloaded by visiting: https://www.grants.gov/web/grants/forms/post-award-reportingforms.html#sortby=1

If no equipment was acquired under an award, a negative report is required.

The recipient must identify each item of equipment that it wishes to retain for continued use in

accordance with 45 CFR Part 75. The awarding agency may exercise its rights to require the transfer of equipment purchased under the assistance award. CDC will notify the recipient if transfer to title will be required and provide disposition instruction on all major equipment.

Equipment with a unit acquisition cost of less than \$5,000 that is no longer to be used in projects or programs currently or previously sponsored by the Federal Government may be retained, sold, or otherwise disposed of, with no further obligation to the Federal Government.

Exhibit F

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-02-04

FAIN# NH23IP922636

Federal Award Date: 01/15/2021

Recipient Information

1. Recipient Name

New York City Dept.of Health & Mental Hygiene 4209 28TH ST LONG ISLAND CITY, NY 11101-4130 [NoPhoneRecord]

2. Congressional District of Recipient

- 3. Payment System Identifier (ID) 1136400434B1
- 4. Employer Identification Number (EIN)
- 5. Data Universal Numbering System (DUNS)
- 6. Recipient's Unique Entity Identifier

7. Project Director or Principal Investigator

Ms. Inna Dubrovenska idubrovenska@health.nyc.gov 347-396-6249

8. Authorized Official

Mr. Edmund Dunn Jr Authorizing Official - Dir of Grants Admin & Claiming edunnjr@health.nyc.gov 347-396-6250

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Freda Johnson wve2@cdc.gov 770.488.3107

10.Program Official Contact Information

Candelaria Rijo cqr5@cdc.gov 404-639-8526

Federal Award Information

11. Award Number

6 NH23IP922636-02-04

12. Unique Federal Award Identification Number (FAIN)

NH23IP922636

13. Statutory Authority

Sections 317, 317(k)(2) of the Public Health Service Act (42 U.S.C. Sections 247b, 247b(k)(2) and 247c), as amended

14. Federal Award Project Title

CDC-RFA-IP19-1901 Immunization and Vaccines for Children

15. Assistance Listing Number

03 26

16. Assistance Listing Program Title

Immunization Cooperative Agreements

17. Award Action Type

Supplement

18. Is the Award R&D?

No

Summary Federal Award Financial Information

19. Budget Period Start Date	07/01/2020	- End Date	06/30/2021	

20. Total Amount of Federal Funds Obligated by this Action	\$75,330,252.00
20a. Direct Cost Amount	\$75,330,252.00
20b. Indirect Cost Amount	\$0.00

 21. Authorized Carryover
 \$596,090.00

 22. Offset
 \$0.00

23. Total Amount of Federal Funds Obligated this budget period \$22,398,366.00

24. Total Approved Cost Sharing or Matching, where applicable \$0.00

25. Total Federal and Non-Federal Approved this Budget Period

26. Project Period Start Date 07/01/2019 - **End Date** 06/30/2024

27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period

\$113,488,605.00

\$97,728,618.00

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Brownie Anderson-Rana Grants Management Officer

30. Remarks

DEPARTMENT OF HEALTH AND HEALTH A

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-02-04

FAIN# NH23IP922636

Federal Award Date: 01/15/2021

\$7,186,018.00

\$98,324,708.00

Recipient Information

Recipient Name

New York City Dept.of Health & Mental Hygiene 4209 28TH ST

LONG ISLAND CITY, NY 11101-4130

[NoPhoneRecord]

Congressional District of Recipient

Payment Account Number and Type

1136400434B1

Employer Identification Number (EIN) Data

Universal Numbering System (DUNS)

083489737

Recipient's Unique Entity Identifier

Not Available

31. Assistance Type

Cooperative Agreement

32. Type of Award

Demonstration

	33. Approved Budget
ı	(Excludes Direct Assistan

a. Salaries and Wages

nce)

I. Financial Assistance from the Federal Awarding Agency Only

II. Total project costs including grant funds and all other financial participation

b. Fringe Benefits \$1,194,723.00 c. TotalPersonnelCosts \$8,380,741.00 d. Equipment

\$0.00 e. Supplies \$34,463.00

f. Travel \$52,247.00

g. Construction \$0.00

h. Other \$75,330,252.00

i. Contractual \$11,385,978.00

j. TOTAL DIRECT COSTS \$95,183,681.00 k. INDIRECT COSTS \$3,141,027.00

1. TOTAL APPROVED BUDGET \$98,324,708.00 m. Federal Share

n. Non-Federal Share \$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390GKL	20NH23IP922636C5	IP	41.51	\$75,330,252.00	75-2124-0943

DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-02-04

FAIN# NH23IP922636

Federal Award Date: 01/15/2021

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 66 of 106 PageID #: 2771

AWARD ATTACHMENTS

New York City Dept.of Health & Mental Hygiene

6 NH23IP922636-02-04

1. Terms and Conditions Cycle 3-New York City

AWARD INFORMATION

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at

https://www.cdc.gov/grants/federalregulationspolicies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number IP19-1901, entitled, *Immunization and Vaccines for Children*, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

Supplemental Component Funding: Additional funding in the amount \$75,330,252 is approved for the Year 02 budget period, which is July 1, 2020 through June 30, 2021.

The NOFO provides for the funding of multiple components under this award. The approved component funding levels for this notice of award are:

NOFO Component	Amount
COVID-19	\$75,330,252

Recipients have until June 30, 2024 to expend all COVID-19 funds herein and previously funded.

<u>Overtime</u>: Because overtime costs are a very likely and reasonable expense during the response to COVID-19, CDC will allow recipients to include projected overtime in their budgets. Recipients should be careful to estimate costs based on current real-time needs and will still be required to follow federal rules and regulations in accounting for the employees' time and effort.

Coronavirus Disease 2019 (COVID-19) Funds: A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); and/or the Consolidated Appropriations Act, 2021, Division M – Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (P.L. 116-266), agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

In addition, to the extent applicable, Recipient will comply with Section 18115 of the CARES Act, with respect to the reporting to the HHS Secretary of results of tests intended to detect SARS—CoV–2 or to diagnose a possible case of COVID–19. Such reporting shall be in accordance with guidance and direction from HHS and/or CDC. HHS laboratory reporting <u>guidance</u> is posted at: https://www.hhs.gov/sites/default/files/covid-19-laboratory-data-reporting-guidance.pdf.

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the

#: 2773

purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

Unallowable Costs:

- Research
- Clinical care
- Publicity and propaganda (lobbying):
 - Other than for normal and recognized executive-legislative relationships, no funds may be used for:
 - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
 - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
 - See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients: https://www.cdc.gov/grants/documents/Anti-Lobbying_Restrictions_for_CDC_Grantees_July_2012.pdf
- All unallowable costs cited in CDC-RFA-IP19-1901 remain in effect, unless specifically amended in this guidance, in accordance with 45 CFR Part 75 – Uniform Administrative Requirements, Cost Principles, And Audit Requirements for HHS Awards.

<u>COVID-19 Funding Budget Revision Requirement</u>: The recipient must submit a revised budget with a narrative justification within 45 days of receipt of the Notice of Award. Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the Awarding Agency Contact Information section on the first page before the due date.

ADMINISTRATIVE REQUIREMENTS

The recipient must respond to the comments in the technical review and/or OGS Budget Comments in accordance with the recommendations provided in GrantSolutions as a Grant Note within 45 days of receipt of the Notice of Award. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the Awarding Agency Contact Information section on the first page before the due date.

REPORTING REQUIREMENTS

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to

the HHS OIG at the following addresses:

CDC, Office of Grants Services Freda Johnson, Grants Management Specialist Centers for Disease Control and Prevention Branch 1 2939 Flowers Road, MS-TV-2 Atlanta, GA 30341

Email: kcr8@cdc.gov (Include "Mandatory Grant Disclosures" in subject line)

AND

U.S. Department of Health and Human Services Office of the Inspector General ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue, SW Cohen Building, Room 5527 Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line)

or Email: MandatoryGranteeDisclosures@oig.hhs.gov

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

PAYMENT INFORMATION

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to hhstips@oig.hhs.gov or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds

Stewardship: The recipient must exercise proper stewardship over Federal funds by ensuring that all costs charged to your cooperative agreement are allowable, allocable, and reasonable and that they address the highest priority needs as they relate to this program.

All the other terms and conditions issued with the original award remain in effect throughout the budget period unless otherwise changed, in writing, by the Grants Management Officer.

Exhibit G

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-02-07

FAIN# NH23IP922636

Federal Award Date: 03/31/2021

Recipient Information

1. Recipient Name

New York City Dept.of Health & Mental Hygiene 4209 28TH ST LONG ISLAND CITY, NY 11101-4130 [NoPhoneRecord]

2. Congressional District of Recipient

- 3. Payment System Identifier (ID) 1136400434B1
- 4. Employer Identification Number (EIN) 136400434
- 5. Data Universal Numbering System (DUNS)
- 6. Recipient's Unique Entity Identifier

7. Project Director or Principal Investigator

Ms. Inna Dubrovenska idubrovenska@health.nyc.gov 347-396-6249

8. Authorized Official

Mr. Edmund Dunn Jr Authorizing Official - Dir of Grants Admin & Claiming edunnjr@health.nyc.gov 347-396-6250

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Freda Johnson wve2@cdc.gov 770.488.3107

10.Program Official Contact Information

Candelaria Rijo cqr5@cdc.gov 404-639-8526

Federal Award Information

11. Award Number

6 NH23IP922636-02-07

12. Unique Federal Award Identification Number (FAIN)

NH23IP922636

13. Statutory Authority

Sections 317, 317(k)(2) of the Public Health Service Act (42 U.S.C. Sections 247b, 247b(k)(2) and 247c), as amended.

14. Federal Award Project Title

CDC-RFA-IP19-1901 Immunization and Vaccines for Children

15. Assistance Listing Number

16. Assistance Listing Program Title

Immunization Cooperative Agreements

17. Award Action Type

Supplement

18. Is the Award R&D?

22. Offset

Summary Federal Award Financial Information

19. Budget Period Start Date	07/01/2020	- End Date	06/30/2021

20. Total Amount of Federal Funds Obligated by this Action	\$81,479,388.00
20a. Direct Cost Amount	\$81,479,388.00
20b. Indirect Cost Amount	\$0.00

21. Authorized Carryover \$907,466.00

\$0.00 23. Total Amount of Federal Funds Obligated this budget period \$110,626,056.00

24. Total Approved Cost Sharing or Matching, where applicable \$0.00

25. Total Federal and Non-Federal Approved this Budget Period \$192,105,444.00

26. Project Period Start Date 07/01/2019 - End Date 06/30/2024

27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period

\$207,865,431.00

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Brownie Anderson-Rana Grants Management Officer

30. Remarks

This funding supports the activities under COVID-19 Vaccination Supplement 4 (April 2021).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Award# 6 NH23IP922636-02-07 FAIN# NH23IP922636

Federal Award Date: 03/31/2021

\$7,189,518.00

\$11,651,777.00

Centers for Disease Control and Prevention

Recipient Information

Recipient Name

New York City Dept.of Health & Mental Hygiene 4209 28TH ST

LONG ISLAND CITY, NY 11101-4130

[NoPhoneRecord]

Congressional District of Recipient

Payment Account Number and Type

1136400434B1

Employer Identification Number (EIN) Data

Universal Numbering System (DUNS)

083489737

Recipient's Unique Entity Identifier

Not Available

31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

33. Approved Budget
(Excludes Direct Assistan

a. Salaries and Wages

nce)

I. Financial Assistance from the Federal Awarding Agency Only

II. Total project costs including grant funds and all other financial participation

b. Fringe Benefits \$1,195,318.00 c. TotalPersonnelCosts \$8,384,836.00

d. Equipment \$0.00

e. Supplies \$34,463.00

f. Travel \$52,247.00

g. Construction \$0.00

h. Other \$169,707,078.00 i. Contractual

j. TOTAL DIRECT COSTS \$189,830,401.00

k. INDIRECT COSTS \$3,182,509.00

1. TOTAL APPROVED BUDGET \$193,012,910.00

\$193,012,910.00 n. Non-Federal Share \$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390GKL	20NH23IP922636C5	IP	41.51	\$32,392,008.00	75-2124-0943
1-9390GWA	20NH23IP922636C6	IP	41.51	\$49,087,380.00	75-X-0943

m. Federal Share

DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Award# 6 NH23IP922636-02-07 Centers for Disease Control and Prevention FAIN# NH23IP922636

Federal Award Date: 03/31/2021

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 75 of 106 PageID #: 2780

AWARD ATTACHMENTS

New York City Dept.of Health & Mental Hygiene

6 NH23IP922636-02-07

1. Terms and Conditions

ADDITIONAL TERMS AND CONDITIONS OF AWARD

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at https://www.cdc.gov/grants/federalregulationspolicies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number IP19- 1901, entitled, *Immunization and Vaccines for Children*, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

Supplemental Component Funding: Additional funding in the amount \$81,479,388 is approved for the Year 02 budget period, which is July 1, 2020 through June 30, 2021.

Recipients have until June 30. 2024 to expend all COVID-19 funds herein and previously funded.

<u>Overtime</u>: Because overtime costs are a very likely and reasonable expense during the response to COVID-19, CDC will allow recipients to include projected overtime in their budgets. Recipients should be careful to estimate costs based on current real-time needs and will still be required to follow federal rules and regulations in accounting for the employees' time and effort.

Coronavirus Disease 2019 (COVID-19) Funds: A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); and/or the Consolidated Appropriations Act, 2021, Division M - Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (P.L. 116-260), the American Rescue Plan Act of 2021 (P.L. 117-2) agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

In addition, to the extent applicable, Recipient will comply with Section 18115 of the CARES Act, with respect to the reporting to the HHS Secretary of results of tests intended to detect SARS- CoV-2 or to diagnose a possible case of COVID-19. Such reporting shall be in accordance with guidance and direction from HHS and/or CDC. HHS laboratory reporting guidance is posted at: https://www.hhs.gov/sites/default/files/covid-19-laboratory-data-reporting-guidance.pdf.

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

Unallowable Costs:

Research

- Clinical care
- Publicity and propaganda (lobbying):
 - Other than for normal and recognized executive-legislative relationships, no funds may be used for:

#: 2782

- publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
- the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
- o See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients: https://www.cdc.gov/grants/documents/Anti-Lobbying Restrictions for CDC Grantees July 2012.pdf
- All unallowable costs cited in CDC-RFA-IP19-1901 remain in effect, unless specifically amended in this guidance, in accordance with 45 CFR Part 75 - Uniform Administrative Requirements, Cost Principles, And Audit Requirements for HHS Awards.

COVID-19 Funding Budget Revision Requirement: The recipient must submit a revised budget with a narrative justification within 60 days of receipt of the Notice of Award. If the date falls on a weekend or holiday, the submission will be due the following business day. Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the Awarding Agency Contact Information section on the first page before the due date.

REPORTING REQUIREMENTS

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services

Wayne Woods, Grants Management Specialist Centers for Disease Control and Prevention Branch 1

2939 Flowers Road, MS-TV-2 Atlanta, GA 30341

Email: <u>kuv1@cdc.gov</u> (Include "Mandatory Grant Disclosures" in subject line)

AND

U.S. Department of Health and Human Services Office of the Inspector General ATTN: Mandatory Grant Disclosures, Intake Coordinator 3301Independence Avenue, SW Cohen Building, Room 5527 Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or Email: MandatoryGranteeDisclosures@oig.hhs.gov

#: 2783

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

PAYMENT INFORMATION

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to hhstips@oig.hhs.gov or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of **Page 2** of the Notice of Award must be known to draw down funds.

Stewardship: The recipient must exercise proper stewardship over Federal funds by ensuring that all costs charged to your cooperative agreement are allowable, allocable, and reasonable and that they address the highest priority needs as they relate to this program.

All the other terms and conditions issued with the original award remain in effect throughout the budget period unless otherwise changed, in writing, by the Grants Management Officer.

Exhibit H

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-05-15

FAIN# NH23IP922636

Federal Award Date: 03/24/2025

Recipient Information

1. Recipient Name

CITY OF NEW YORK
4209 28TH ST
LONG ISLAND CITY, NY 11101-4130
[NoPhoneRecord]

- 2. Congressional District of Recipient
- 3. Payment System Identifier (ID) 1136400434B1
- **4. Employer Identification Number (EIN)** 136400434
- 5. Data Universal Numbering System (DUNS) 083489737
- **6. Recipient's Unique Entity Identifier (UEI)** XKJ3F8WKV2L3
- 7. Project Director or Principal Investigator

Katrianna Baker Program Manager kbaker@health.nyc.gov 347-396-4820

8. Authorized Official

Ms. Wai Ting Yu Assistant Commissioner wyu4@health.nyc.gov 347-396-6214

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Percy Jernigan ibj7@cdc.gov 770.488.2811

10.Program Official Contact Information

Ms. LaDora Woods Program Officer ecz3@cdc.gov 404-639-6338

Federal Award Information

11. Award Number

6 NH23IP922636-05-15

12. Unique Federal Award Identification Number (FAIN) NH23IP922636

13. Statutory Authority

Sections 317, 317(k)(2) of the Public Health Service Act (42 U.S.C. Sections 247b, 247b(k)(2) and 247c), as amended

14. Federal Award Project Title

CDC-RFA-IP19-1901 Immunization and Vaccines for Children

15. Assistance Listing Number

93.268

16. Assistance Listing Program Title

Immunization Cooperative Agreements

17. Award Action Type

Administrative Action

18. Is the Award R&D?

No

Summary Federal Award Financial Information

10	Rudget Period Start Date	07/01/2023	- Fnd Date	03/24/2025

20.	Total Amount of Federal Funds Obligated by this Action	\$0.00
	20a. Direct Cost Amount	\$0.00
	20b. Indirect Cost Amount	\$0.00

21. Authorized Carryover \$62,061,781.00

22. Offset \$345,873.00

23. Total Amount of Federal Funds Obligated this budget period \$38,943,752.00
24. Total Approved Cost Sharing or Matching, where applicable \$0.00

25. Total Federal and Non-Federal Approved this Budget Period

26. Period of Performance Start Date 07/01/2019 - End Date 03/24/2025

27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance

\$279,827,235.00

\$38,943,752.00

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Percy Jernigan

30. Remarks

Department Authority

DEPARTMENT OF HEALTH AND HUTTANSSERVICES

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-05-15

FAIN# NH23IP922636

Federal Award Date: 03/24/2025

Recipient Information

Recipient Name

CITY OF NEW YORK

4209 28TH ST

LONG ISLAND CITY, NY 11101-4130

[NoPhoneRecord]

Congressional District of Recipient

Payment Account Number and Type

Employer Identification Number (EIN) Data

Universal Numbering System (DUNS)

083489737

Recipient's Unique Entity Identifier (UEI)

XKJ3F8WKV2L3

31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

33. Approved Budget

(Excludes Direct Assistance)

- I. Financial Assistance from the Federal Awarding Agency Only
- II. Total project costs including grant funds and all other financial participation

1 /	
a. Salaries and Wages	\$16,199,179.00
b. Fringe Benefits	\$5,678,759.00
c. TotalPersonnelCosts	\$21,877,938.00
d. Equipment	\$150,000.00
e. Supplies	\$53,119.00
f. Travel	\$89,598.00
g. Construction	\$0.00
h. Other	\$133,394.00
i. Contractual	\$65,215,384.00
j. TOTAL DIRECT COSTS	\$87,519,433.00
k. INDIRECT COSTS	\$13,831,973.00
1. TOTAL APPROVED BUDGET	\$101,351,406.00
m. Federal Share	\$101.351,406.00

34. Accounting Classification Codes

FY	-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
	1-9390GKL	20NH23IP922636C5	IP	41.51	93.268	\$0.00	75-2124-0943
	1-9390GWA	20NH23IP922636C6	IP	41.51	93.268	\$0.00	75-X-0943

n. Non-Federal Share

\$101,351,406.00

\$0.00

DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-05-15

FAIN# NH23IP922636

Federal Award Date: 03/24/2025

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 83 of 106 PageID #: 2788

AWARD ATTACHMENTS

CITY OF NEW YORK 6 NH23IP922636-05-15

1. COVID TERMINATIONS

π. ΖΙ

TERMS AND CONDITIONS OF AWARD

Termination: The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if "the non-Federal entity fails to comply with the terms and conditions of the award", or separately, "for cause." The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

Impacted document numbers are included on page 2 of this Notice of Award (NoA).

No additional activities can be conducted, and no additional costs may be incurred, as it relates to these funds. Unobligated award balances of COVID-19 funding will be de-obligated by CDC. Award activities under other funding may continue consistent with the terms and conditions of the award.

Final Federal Financial Report (FFR, SF-425): Within 30 days please submit final FFR's for impacted document numbers. The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

All other terms and conditions of this award remain in effect.

Exhibit I

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-05-01 FAIN# NH23IP922636

Federal Award Date: 09/05/2023

Recipient Information

1. Recipient Name

NEW YORK, CITY OF 4209 28TH ST LONG ISLAND CITY, NY 11101-4130 [NoPhoneRecord]

2. Congressional District of Recipient

- 3. Payment System Identifier (ID) 1136400434B1
- **4. Employer Identification Number (EIN)** 136400434
- **5. Data Universal Numbering System (DUNS)** 083489737
- **6. Recipient's Unique Entity Identifier (UEI)** XKJ3F8WKV2L3
- 7. Project Director or Principal Investigator

Katrianna Baker Program Manager kbaker@health.nyc.gov 347-396-4820

8. Authorized Official

Ms. Wai Ting Yu
Executive Director of Budget Administration
wyu4@health.nyc.gov
347-396-6214

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Ms. Kathy Raible-GMS kcr8@cdc.gov 770-488-2045

10.Program Official Contact Information

Candelaria Rijo cqr5@cdc.gov 404-639-8526

Federal Award Information

11. Award Number

6 NH23IP922636-05-01

12. Unique Federal Award Identification Number (FAIN)

NH23IP922636

13. Statutory Authority

Sections 317, 317(k)(2) of the Public Health Service Act (42 U.S.C. Sections 247b, 247b(k)(2) and 247c), as amended

14. Federal Award Project Title

CDC-RFA-IP19-1901 Immunization and Vaccines for Children

15. Assistance Listing Number

93.268

16. Assistance Listing Program Title

Immunization Cooperative Agreements

17. Award Action Type

Supplement

18. Is the Award R&D?

No

Summary Federal Award Financial Information

19	Budget Period Start Date	07/01/2023	- End Date	12/31/2024
19.	Budget Period Start Date	07/01/2023	- End Date	12/31/2024

20. Total Amount of Federal Funds Obligated by this Action	\$7,267,264.00
20a. Direct Cost Amount	\$6,455,169.00
20b. Indirect Cost Amount	\$812,095.00

21. Authorized Carryover

22. Offset \$0.00

23. Total Amount of Federal Funds Obligated this budget period \$12,836,351.00

24. Total Approved Cost Sharing or Matching, where applicable

25. Total Federal and Non-Federal Approved this Budget Period

26. Period of Perfomance Start Date 07/01/2019 - End Date 12/31/2024

27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance

\$260,987,098.00

\$20,103,615.00

\$0.00

\$0.00

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Karen Zion1

Grants Management Officer

30. Remarks

DEPARTMENT OF HEALTH AND HUTTAR SERVICES

Award# 6 NH23IP922636-05-01 FAIN# NH23IP922636

Federal Award Date: 09/05/2023

Centers for Disease Control and Prevention

Recipient Information

Recipient Name

NEW YORK, CITY OF

4209 28TH ST

LONG ISLAND CITY, NY 11101-4130

[NoPhoneRecord]

Congressional District of Recipient

Payment Account Number and Type

Employer Identification Number (EIN) Data

Universal Numbering System (DUNS)

083489737

Recipient's Unique Entity Identifier (UEI)

XKJ3F8WKV2L3

31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

33. Approved Budget

(Excludes Direct Assistance)

- I. Financial Assistance from the Federal Awarding Agency Only
- II. Total project costs including grant funds and all other financial participation

Total project costs including grant failus and an	other imaneiar participation
a. Salaries and Wages	\$7,144,696.00
b. Fringe Benefits	\$2,511,856.00
c. TotalPersonnelCosts	\$9,656,552.00
d. Equipment	\$150,000.00
e. Supplies	\$69,763.00
f. Travel	\$42,960.00
g. Construction	\$0.00
h. Other	\$1,217,504.00
i. Contractual	\$6,450,968.00
j. TOTAL DIRECT COSTS	\$17,587,747.00
k. INDIRECT COSTS	\$2,515,868.00
1. TOTAL APPROVED BUDGET	\$20,103,615.00
7 1 10	

m. Federal Share \$20,103,615.00

n. Non-Federal Share \$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	CFDA NO.	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390GKL	20NH23IP922636C5	IP	41.51	93.268	\$0.00	75-2124-0943
3-93909KZ	19NH23IP922636	IP	41.51	93.268	\$0.00	75-X-0951
3-9390BKJ	19NH23IP922636	IP	41.51	93.268	\$0.00	75-75-X-0512-009
3-9390BKM	19NH23IP922636	IP	41.51	93.268	\$0.00	75-75-X-0512-009
3-9390K3F	19NH23IP922636	IP	41.51	93.268	\$0.00	75-X-0951
3-939ZRWL	19NH23IP922636	IP	41.51	93.268	\$0.00	75-23-0951
0-9390EWQ	19NH23IP922636C3	IP	41.51	93.268	\$0.00	75-2024-0943
1-9390FG3	20NH23IP922636C3	IP	41.51	93.268	\$0.00	75-2024-0943
1-9390GUU	20NH23IP922636UDSPC5	IP	41.51	93.268	\$0.00	75-2124-0943
1-9390GWA	20NH23IP922636C6	IP	41.51	93.268	\$0.00	75-X-0943
1-9390GZB	20NH23IP922636VWCC6	IP	41.51	93.268	\$0.00	75-X-0943
2-9390K9M	20NH23IP922636IISC6	IP	41.51	93.268	\$0.00	75-X-0943
3-9390BKG	19NH23IP922636	IP	41.51	93.268	\$399,999.00	75-75-X-0512-009
3-9390LR9	19NH23IP922636	IP	41.51	93.268	\$6,244,651.00	75-X-0140
3-939ZRYH	19NH23IP922636	IP	41.51	93.268	\$622,614.00	75-23-0951

DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-05-01
FAIN# NH23IP922636

Federal Award Date: 09/05/2023

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 89 of 106 PageID #: 2794

AWARD ATTACHMENTS

NEW YORK, CITY OF

6 NH23IP922636-05-01

1. Revised Terms and Conditions

AWARD INFORMATION

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at https://www.cdc.gov/grants/federal-regulations- policies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CDC-RFA-IP19-1901, titled Immunization and Vaccines for Children, as may be amended, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

Supplemental Extension: This amendment approves a 6-month extension with additional funds in the amount of \$7,267,264. The budget and project period end dates have been extended from June 30, 2024 to December 31, 2024.

The federal award amount is subject to adjustment based on total allowable costs incurred and/or the value of any third-party in-kind contribution when applicable.

Note: Refer to the Payment Information section for Payment Management System (PMS) subaccount information.

Component/Project Funding: The NOFO provides for the funding of multiple components under this award. The approved component funding levels for this notice of award are:

NOFO Component	Amount
HHS Bridge Access	\$5,097,287
Vaccine Confidence	\$ 622,614
VtrckS	\$ 399,999
BY05 CORE - IIS	\$1,147,364

Summary Statement/Technical Review: Within 5 days of this Notice of Award's (NoA) issue date, the Summary Statement/Technical Review will be accessible to the recipient in GrantSolutions Grant Notes. Contact the assigned Program Officer indicated in the NoA with any questions regarding this document or any follow up requirements.

Budget Revision Requirement: By October 31, 2023, the recipient must submit a detailed budget with a narrative justification and a detailed workplan as a budget revision amendment in GrantSolutions. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date. The following is needed:

- A detailed budget is needed for the CORE-IIS component.
- A detailed, justified budget is needed for each individual subcontract.
- Request to purchase 3 Servers for \$150,000 must be discussed with PO and GMS before approved. We do not normally purchase equipment this late in a budget period.

REPORTING REQUIREMENTS

Annual Federal Financial Report (FFR SF-425): Annual financial reporting is required every twelve-month period. Due to the approved extension period, the final budget period has been extended and an additional annual financial report will be required. A completed FFR SF-425 covering the original final budget period of **July 01, 2023**, to **June 30, 2024**, must be submitted by **September 30, 2024**.

Recipients must submit all closeout reports identified in this section within 90 days of the period of performance end date. The reporting timeframe is the full period of performance. Failure to submit timely and accurate final reports may affect future funding to the organization or awards under the direction of the same Project Director/Principal Investigator (PD/PI).

Final Performance Progress and Evaluation Report (PPER): This report should include the information specified in the NOFO. At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

All manuscripts published as a result of the work supported in part or whole by the cooperative grant must be submitted with the performance progress reports.

Final Federal Financial Report (FFR, SF-425): The FFR should only include those funds authorized and expended during the timeframe covered by the report. The Final FFR, SF-425 is required and must be submitted no later than 90 days after the period of performance end date. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Department of Health and Human Services' PMS, you will be required to update your reports to PMS accordingly. Remaining unobligated funds will be de-obligated and returned to the U.S. Treasury.

Electronic versions of the form can be downloaded at: https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1

Equipment and Supplies - Tangible Personal Property Report (SF-428): A completed Tangible Personal Property Report SF-428 and Final Report SF-428B addendum must be submitted, along with any Supplemental Sheet SF-428S detailing all major equipment acquired or furnished under this project with a unit acquisition cost of \$5,000 or more. Electronic versions of the forms can be downloaded by visiting: https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1

If no equipment was acquired under an award, a negative report is required.

The recipient must identify each item of equipment that it wishes to retain for continued use in accordance with 45 CFR Part 75. The awarding agency may exercise its rights to require the transfer of equipment purchased under the assistance award. CDC will notify the recipient if transfer to title will be required and provide disposition instruction on all major equipment.

Equipment with a unit acquisition cost of less than \$5,000 that is no longer to be used in projects or programs currently or previously sponsored by the Federal Government may be retained, sold, or otherwise disposed of, with no further obligation to the Federal Government.

PAYMENT INFORMATION

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to hhs.gov or

by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of **Page 2** of the Notice of Award must be known to draw down funds.

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-05-07

FAIN# NH23IP922636

Federal Award Date: 06/27/2024

Recipient Information

1. Recipient Name

CITY OF NEW YORK 4209 28TH ST LONG ISLAND CITY, NY 11101-4130 [NoPhoneRecord]

- 2. Congressional District of Recipient
- 3. Payment System Identifier (ID) 1136400434B1
- 4. Employer Identification Number (EIN) 136400434
- 5. Data Universal Numbering System (DUNS) 083489737
- 6. Recipient's Unique Entity Identifier (UEI) XKJ3F8WKV2L3
- 7. Project Director or Principal Investigator

Katrianna Baker Program Manager kbaker@health.nyc.gov

347-396-4820

8. Authorized Official

Ms. Wai Ting Yu

Assistant Commissioner, Bureau of Budget wyu4@health.nyc.gov

347-396-6214

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Kathy Raible

kcr8@cdc.gov

770-488-2045

10.Program Official Contact Information

Ms. LaDora Woods Program Officer ecz3@cdc.gov

404-639-6338

Federal Award Information

11. Award Number

6 NH23IP922636-05-07

12. Unique Federal Award Identification Number (FAIN) NH23IP922636

13. Statutory Authority

Sections 317, 317(k)(2) of the Public Health Service Act (42 U.S.C. Sections 247b, 247b(k)(2) and 247c), as

14. Federal Award Project Title

CDC-RFA-IP19-1901 Immunization and Vaccines for Children

15. Assistance Listing Number

16. Assistance Listing Program Title

Immunization Cooperative Agreements

17. Award Action Type

Supplement

18. Is the Award R&D?

Summary Federal Award Financial Information

10	Dudget Deried Start Date	07/01/2022	End Data	06/20/2025

20. Total Amount of Federal Funds Obligated by this Action	\$15,638,543.00
20a. Direct Cost Amount	\$14,088,581.00
20b. Indirect Cost Amount	\$1,895,835.00
21. Authorized Carryover	\$62,061,781.00
22. Offset	\$345,873.00
23. Total Amount of Federal Funds Obligated this budget period	\$21,655,209.00

24. Total Approved Cost Sharing or Matching, where applicable

25. Total Federal and Non-Federal Approved this Budget Period 26. Period of Performance Start Date 07/01/2019 - End Date 06/30/2025

27. Total Amount of the Federal Award including Approved

Cost Sharing or Matching this Period of Performance \$278,177,235.00

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Karen Zion1

Grants Management Officer

30. Remarks

\$37,293,752.00

\$0.00

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Award# 6 NH23IP922636-05-07 FAIN# NH23IP922636

Federal Award Date: 06/27/2024

Centers for Disease Control and Prevention

Recipient Information

Recipient Name

CITY OF NEW YORK 4209 28TH ST

LONG ISLAND CITY, NY 11101-4130

[NoPhoneRecord]

Congressional District of Recipient

Payment Account Number and Type

Employer Identification Number (EIN) Data

Universal Numbering System (DUNS)

083489737

Recipient's Unique Entity Identifier (UEI)

XKJ3F8WKV2L3

31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

33.	A	pp	roved	В	u	dget	

(Excludes Direct Assistance)

- I. Financial Assistance from the Federal Awarding Agency Only

II. Total project costs including grant funds and all other financial participation		
a. Salaries and Wages	\$16,559,207.00	
b. Fringe Benefits	\$6,212,553.00	
c. TotalPersonnelCosts	\$22,771,760.00	
d. Equipment	\$150,000.00	
e. Supplies	\$114,880.00	
f. Travel	\$90,774.00	
g. Construction	\$0.00	
h. Other	\$1,803,999.00	
i. Contractual	\$61,304,447.00	
j. TOTAL DIRECT COSTS	\$86,235,860.00	
k. INDIRECT COSTS	\$13,465,546.00	
1. TOTAL APPROVED BUDGET	\$99,701,406.00	
m Federal Share	000 701 407 00	

m. Federal Share \$99,701,406.00

n. Non-Federal Share \$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	CFDA NO.	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390GKL	20NH23IP922636C5	IP	41.51	93.268	\$0.00	75-2124-0943
		IP IP			·	
3-93909KZ	19NH23IP922636		41.51	93.268	\$0.00	75-X-0951
3-9390BKJ	19NH23IP922636	IP	41.51	93.268	\$0.00	75-75-X-0512-009
3-9390BKM	19NH23IP922636	IP	41.51	93.268	\$0.00	75-75-X-0512-009
3-9390K3F	19NH23IP922636	IP	41.51	93.268	\$0.00	75-X-0951
3-939ZRWL	19NH23IP922636	IP	41.51	93.268	\$0.00	75-23-0951
0-9390EWQ	19NH23IP922636C3	IP	41.51	93.268	\$0.00	75-2024-0943
1-9390FG3	20NH23IP922636C3	IP	41.51	93.268	\$0.00	75-2024-0943
1-9390GUU	20NH23IP922636UDSPC5	IP	41.51	93.268	\$0.00	75-2124-0943
1-9390GWA	20NH23IP922636C6	IP	41.51	93.268	\$0.00	75-X-0943
1-9390GZB	20NH23IP922636VWCC6	IP	41.51	93.268	\$0.00	75-X-0943
2-9390K9M	20NH23IP922636IISC6	IP	41.51	93.268	\$0.00	75-X-0943
3-9390BKG	19NH23IP922636	IP	41.51	93.268	\$0.00	75-75-X-0512-009
3-9390LR9	19NH23IP922636	IP	41.51	93.268	\$0.00	75-X-0140
3-939ZRYH	19NH23IP922636	IP	41.51	93.268	\$0.00	75-23-0951
4-9390BKG	20NH23IP922636C5	IP	41.51	93.268	\$3,125,795.00	75-75-X-0512-009
4-9390BKJ	20NH23IP922636C5	IP	41.51	93.268	\$158,488.00	75-75-X-0512-009
4-9390BKM	20NH23IP922636C5	IP	41.51	93.268	\$2,460,002.00	75-75-X-0512-009
4-9390MPT	20NH23IP922636C5	IP	41.51	93.268	\$7,717,147.00	75-X-0951
4-9390MV2	19NH23IP922636IISC5	IP	41.51	93.268	\$1,381,909.00	75-2124-0943
4-939ZRWL	20NH23IP922636C5	IP	41.51	93.268	\$369,903.00	75-24-0951
4-939ZRYH	20NH23IP922636C5	IP	41.51	93.268	\$425,299.00	75-X-0951

DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NH23IP922636-05-07

FAIN# NH23IP922636

Federal Award Date: 06/27/2024

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Case 1:25-cv-00121-MSM-LDA Document 4-33 Filed 04/01/25 Page 96 of 106 PageID #: 2801

AWARD ATTACHMENTS

CITY OF NEW YORK 6 NH23IP922636-05-07

1. Revised Terms and Conditions

#: 2802

Supplemented Extension: The purpose of this amendment is to approve a 6-month extension with supplemental funds per the request submitted by your organization dated April 8, 2024. The budget and project period end dates have been extended from December 31, 2024 to June 30, 2025.

Additional funds in the amount of \$15,984,416 are authorized and have been distributed as indicated in the approved budget of this Notice of Award.

This amount includes offset, please see Use of Unobligated Funds below.

Approved Component/Project Funding: The NOFO provides for the funding of multiple components under this award. For this NOA, the approved funding level for each component is shown below:

NOFO Component	Amount
CORE	\$14,602,507
IIS	\$ 1,381,909

Coronavirus Disease 2019 (COVID-19) Funds: A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); the Consolidated Appropriations Act and the Coronavirus Response and Relief Supplement Appropriations Act, 2021 (P.L. 116-260) and/or the American Rescue Plan of 2021 [P.L. 117-2] agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, recipient is expected to flow down these terms to any subaward, to the extent applicable to activities set out in such subaward.

Summary Statement/Technical Review: Within 5 days of this Notice of Award's (NOA) issue date, the Summary Statement/Technical Review will be accessible to the recipient in GrantSolutions Grant Notes. Contact the assigned Program Officer indicated in the NOA with any questions regarding this document or any follow up requirements and timelines set forth therein.

#: 2803

Use of Unobligated Funds: This NOA includes use of Year 04 unobligated funds in the amount of \$345,873, which has been applied as an offset to the currently approved funding level for this budget period. The use of unobligated funds is approved based on the Year 04 Federal Financial Report (FFR) dated September 29, 2023. The amount of this NOA will be subject to reduction if the final amount of unobligated funds is less than the amount of unobligated funds reported on the referenced FFR.

Budget Revision Requirement: By September 30, 2024, the recipient must submit a revised budget with a narrative justification. Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

A revised budget is only needed for the IIS component in the amount of \$1,381,909. These funds were entered into the Other cost category.

PAYMENT INFORMATION

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document numbers identified beginning on the bottom of Page 2 of the Notice of Award must be known in order to draw down funds.

ADDITIONAL REPORTING REQUIREMENTS

Annual Federal Financial Report (FFR SF-425): Annual financial reporting is required every twelve-month period. Due to the approved extension period, the final budget period has been extended and an additional annual financial report will be required. A completed FFR SF-425 covering the original final budget period of July 1, 2023 to June 30, 2024 must be submitted by **September 30, 2024**.

Recipients must submit all closeout reports identified in this section within 120 days of the period of performance end date. The reporting timeframe is the full period of performance. Failure to submit timely and accurate final reports may affect future funding to the organization or awards under the direction of the same Project Director/Principal Investigator (PD/PI).

Final Performance Progress and Evaluation Report (PPER): This report should include the information specified in the NOFO. At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

All manuscripts published as a result of the work supported in part or whole by the cooperative grant must be submitted with the performance progress reports.

Final Federal Financial Report (FFR, SF-425): The FFR should only include those funds authorized and actually expended during the timeframe covered by the report. The Final FFR, SF-425 is required and must be submitted no later than 120 days after the period of performance end date.

The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Department of Health and Human Services' PMS, you will be required to update your reports to PMS accordingly. Remaining unobligated funds will be de-obligated and returned to the U.S. Treasury.

Electronic versions of the form can be downloaded at: https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1

Equipment and Supplies - Tangible Personal Property Report (SF-428): A completed Tangible Personal Property Report SF-428 and Final Report SF-428B addendum must be submitted, along with any Supplemental Sheet SF-428S detailing all major equipment acquired or furnished under this project with a unit acquisition cost of \$5,000 or more. Electronic versions of the forms can be downloaded by visiting:

https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1

If no equipment was acquired under an award, a negative report is required.

The recipient must identify each item of equipment that it wishes to retain for continued use in accordance with 45 CFR Part 75. The awarding agency may exercise its rights to require the transfer of equipment purchased under the assistance award. CDC will notify the recipient if transfer to title will be required and provide disposition instruction on all major equipment.

Equipment with a unit acquisition cost of less than \$5,000 that is no longer to be used in projects or programs currently or previously sponsored by the Federal Government may be retained, sold, or otherwise disposed of, with no further obligation to the Federal Government.

Exhibit J

From: Bindy Crouch bcrouch1@health.nyc.gov

Subject: Fw: [EXTERNAL] No-Cost Extension (NCE) for COVID-19 Funds

Date: March 30, 2025 at 2:59 PM To: Wai Ting Yu wyu4@health.nyc.gov

From: NCIRD Immunization Grantee Mailbox (CDC) <nipgrant@cdc.gov>

Sent: Thursday, December 19, 2024 8:42 AM

To: NCIRD Immunization Grantee Mailbox (CDC) <nipgrant@cdc.gov> Subject: [EXTERNAL] No-Cost Extension (NCE) for COVID-19 Funds

Dear Program Managers,

As you heard on the All-Awardee call yesterday, the no-cost extension (NCE) for COVID-19 funds was approved. The NCE is from July 1, 2025–June 30, 2027, and the deadline for requesting these funds is February 28, 2025. Within the next 24 hours, your Project Officer will send you information about the process and templates to use.

As a reminder, these funds can only be used for already approved COVID-19 related activities or to purchase COVID-19 vaccine. The following document numbers are eligible for the extension.

- C3 Flu/COVID
- C3 COVID 2
- VWCC6 COVID 4 Vaccine Confidence (awarded in BY3)
- UDSPC5 COVID 3 Priority Populations
- C6 COVID 4
- C5 COVID 3 & 4
- UKR COVID 4 Ukraine

Happy Holidays!

PLEASE DO NOT RESPOND OR REPLY DIRECTLY TO THIS E-MAIL

This message has been sent to program managers and field staff. Please review the individual announcements for contact information. If you do not see any contact information and need additional information, please contact your program manager. If you need access to the ISD Awardee SharePoint site, please contact your supervisor or your CDC project officer for more information.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@oti.nyc.gov as an attachment (Click the More button, then forward as attachment).

From: Bindy Crouch bcrouch1@health.nyc.gov @ Subject: Fw: [EXTERNAL] No Cost Extension Guidance - NYC

Date: March 30, 2025 at 2:58 PM To: Wai Ting Yu wyu4@health.nyc.gov



From: Woods, LaDora (CDC/NCIRD/ISD) <ecz3@cdc.gov>

Sent: Friday, December 20, 2024 3:18 PM To: Bindy Crouch

bcrouch1@health.nyc.gov>

Cc: Katrianna Baker <kbaker@health.nyc.gov>; Melissa Mickle-Hope

<mmickle@health.nyc.gov>; Michelle Macaraig <mmacarai@health.nyc.gov>; Pramila

Nepal <pnepal@health.nyc.gov>

Subject: [EXTERNAL] No Cost Extension Guidance - NYC

Dear Bindy,

As you saw in the recent NCIRD Immunization Grantee message, the no cost extension (NCE) for the unobligated COVID funds has been approved. Please note that the current core coag funds, including components AA1, BB1, & CC1 - 4, are not eligible for the NCE since we are in the final year of the IP19-1901 project period.

Funds that are eligible for the NCE can be used from July 1, 2025, to June 30, 2027. Please see the attached template for your respective COVID document numbers eligible for extension.

We are working closely with OFR to make the request process as simple and easy as possible for you. Please see below for important information about this:

- The due date for the NCE request is February 28th. This is a hard date and OFR will not be able to grant extensions beyond this date.
- There are a few scenarios in this process:
 - If you already submitted a carryover request for <u>all</u> your unobligated COVID funds you will need to submit the NCE request template to use them over the next 24-month period.
 - If you did <u>not</u> submit a carryover request for your unobligated COVID funds, you will need to submit the carryover request **AND** the NCE request.
 - If you carried over some but not all your unobligated COVID funds and wish to carry over additional funds, you will need to submit the carryover request for the remaining unobligated amount by attaching the budget, cover letter, and FFR showing the current unobligated balance. The carryover reguest can be submitted at the same time as the NCE.
 - If you do not wish to execute the NCE, please let your project officer know. This will be your only opportunity to extend the use of unobligated COVID funds.
- Please remember that these funds can only be spent on already approved COVID related activities (as indicated in your carryover requests) or to purchase COVID vaccine and cannot duplicate work funded by the core cooperative agreement or the Public Health Infrastructure A3 Modernizing IIS Grant.

Instructions for carryover requests:

- Carryover requests must be submitted as an **amendment** in GrantSolutions. Amendments generate the Notice of Award, which is different from a grant note.
- Carryover requests must be for COVID related activities. Routine immunizations can

be included, but the primary purpose must be for COVID activities.

- COVID 3 & 4 funds can be used for IIS improvements. Additional or previously approved IIS activities must be included in carryover requests submitted by February 28, 2025 to be allowable.
- Once the carryover request is approved, work must begin on those activities. In other words, you cannot request to carryover funds for work that will begin on or after July 1, 2025
- · Carryover requests must include the following:
 - Cover letter (see attached template)
 - Carryover budget (see attached template)
 - FFR showing unobligated amounts

Instructions for NCE request:

- Please use the attached form for this request.
- The template must be signed by the authorizing official.
- The unobligated amounts indicated for each document number is from the PMS system as of December 17 and 18, 2024.
- Check the boxes for only the document numbers you want to extend. If you do not want to extend a specific document number leave the boxes unchecked.
- You can extend less than the obligated amounts shown, however you will not be able
 to ask for additional funds later. To request a different amount, check the "Other
 Additional Context" box and indicate the amount you wish to extend.
- If you plan to spend all funds in a specific document number by June 30, 2025, you will **not** need to request an NCE for that document number.
- Submit the completed and signed template as an amendment in GrantSolutions.

Using COVID funds to purchase vaccine:

- These funds can be used to purchase COVID-19 vaccine only.
- If you wish to use the funds to purchase vaccine, check the appropriate box on the NCE request template.
- Vaccine purchase will begin after July 1, 2025
- VSAB will provide further information on vaccine purchase.

OFR will process carryover requests first and then the NCE requests. Both can be, submitted at the same time, just make sure the cover letter indicates you are submitting both.

Please send any questions you have about the NCE to izprogramops@cdc.gov and copy me.

Thank you,

LaDora O. Woods, MPH

Awardee Coordination and Support Team Project Officer for Region 5B (IN, MI, OH), AR, MD, & NYC

Immunization Operations and Services Branch (IOSB)
Immunization Services Division
National Center for Immunization and Respiratory Diseases
Centers for Disease Control and Prevention

Phone: <u>404-639-6338</u> Email: <u>Lwoods1@cdc.gov</u> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@oti.nyc.gov as an attachment (Click the More button, then forward as attachment).

Document 4-33 PageID #: 2809

COVID NCE - Template - New York City- BY5E.docx



COVID Unobligated Funds Carryover Cover Letter.docx



Template Carryover Request 2024 Table.xlsx



Exhibit K

